

**Vulnerability – an affliction of the powerless**

**A Nyoongar Story**

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## **Declaration**

I declare that this thesis is my own account of my research and contains as its main content work, which has not previously been submitted for a degree at any tertiary education institution.

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## **ABSTRACT**

This thesis analyses and investigates the issue of vulnerability among Australian Aboriginal people, as exemplified through the Nyoongar Shaw family and in particular myself. The Shaw family is from southwest Western Australia, more specifically the area belonging to the Yued nation. This thesis examines events in the lives of ancestors and descendants of the Nyoongar Shaw family. It specifically reconstructs the personal stories of our Aboriginal great-grandmother, Mary Ann Chuburan, our Aboriginal great-grandfather (in law), Frederick John Blurton, our Aboriginal grandfather George Shaw, Charles Fitzgerald (our Aboriginal grandfather in law), our Aboriginal aunts, Lilly, Jane and Margaret Shaw, and our Aboriginal mother, Ruby Shaw. By examining these lives, this thesis offers a way of understanding past Indigenous and non-Indigenous relationships in a West Australian context. It does this by drawing on government records, personal interviews, and the telling

of my story as a member of the 'Stolen Generations'. Using the post-modern concept of auto-ethnography as a literary tool, it combines the genres of biography and autobiography. Through the telling of my story, I explicate my experience of being raised to be vulnerable, manifesting itself through inadequate emotional care in childhood, thereby setting me up for failure in dealing appropriately with relationships in adult life. This provides a personal account of the effects of removal. Through recording the stories of both ancestors and descendants, I demonstrate the vulnerability of Aboriginal people, the result of living under government legislation during the years 1920-1959. These stories will show how, over time, this legislation disempowered and dispossessed them, and are intended to facilitate further discussion on what the effects of vulnerability mean for the lives of Aboriginal people and the community more broadly.

## Acknowledgement

Stephen King pointed out that to be a writer you need someone in your life that believes in you and the value of the message contained within your writing. Therefore I thank Dr. Kathryn Trees for her belief in the value contained in the message of my story. Through her unfailing support, I found the courage needed to tell my story. Kathryn has been a source of comfort and counsel throughout, but above all a continuous source of inspiration and empowerment.

I want to acknowledge a significant friend I met up with at while with the Servites in 1965. He joined this Order with a view to becoming a Brother. He, together with another postulant visited me at St. Charles Seminary on a monthly basis. I stayed with the community during term breaks. As a result of a sustained contact for over forty years, this person has come to know me very well. Sometimes, I think he knows me better than I know myself. He has committed himself to support me in the course of writing my story. I am grateful for this, and his almost photographic memory. He was able to bring to life memories I had long forgotten. As we shared memories from the past, his self-appointed role as 'Devil's Advocate' emerged. He exercised this role by challenging my perspective on past experiences, and thereby endeavoured to keep me honest and realistic throughout the exercise of remembering. He is the kind of person any autobiographical writer would value.

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# Chapter One

## *Beginnings*

### 1.1 Introduction

In this thesis, I argue that successive forms of legislation enacted since the foundation of the Swan River Settlement in 1879 have resulted in many Western Australian Aboriginal people becoming vulnerable<sup>1</sup>. I do this firstly, by introducing stories of the Shaw Aboriginal ancestors, as uncovered in government records and church archives, together with the stories of certain descendants recorded through personal interviews. Secondly, as a member of the *Stolen Generations*<sup>2</sup>, I tell my story to provide an example of some of the consequences of State intervention; removal from my natural family; and being placed in an ‘abnormal’ situation. I argue that vulnerability accounts for outcomes in my adult life, as a result. I further argue that this is the case for many other Aboriginal people, as the *Royal Commission into Aboriginal Deaths in Custody*, and the *Bringing Them Home* reports testify to.

The creation of this work had its beginning behind bars. While serving an eighteen month sentence in a Victorian prison for sexual offences, I felt compelled to review my life to understand what had brought me to that situation, and to decide what I was going to do about the future. I believed that I could only achieve a better future by addressing

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<sup>1</sup> I acknowledge that this argument can be put forward on behalf of all Australian Aboriginal peoples, as The *National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families* reveals. This Report traces the history of removal in all States and Territories (1997: 27-131).

<sup>2</sup> *Stolen Generations* refers to children of Australian Aboriginal and Torres Strait Islander descent who Australian Federal and State governments, their agencies and church missions removed from their families. The removals occurred between 1869 and 1969, although some children were still being taken in the 1970s in some places. A more extensive treatment of the *Stolen Generations* is found within this section.

existential questions that had plagued me for most of my adult life, although I had not faced them<sup>3</sup>. The nature of these questions was conditioned by, and reflects an exposure to, the study of philosophy during the years of preparation for the Catholic priesthood. So, I embarked on a journey of personal healing that I hoped would enable me to connect with my Aboriginal ancestors, their descendants, and my immediate family.<sup>4</sup>

Several academic writers support the claim that autobiographical writing offers therapeutic benefits for the writer. Nancy Richeson<sup>5</sup> for example, argues that, “an understanding about the way in which we think and who we are can be gained from writing down our life stories.” Richeson further states, that recording one's life story has gained respect and acceptance in university and clinical circles alike. Psychologists too, understand the value of personal narratives in understanding growth and development<sup>6</sup>. Robert Butler<sup>7</sup> (1998) notes that the process of reviewing one's life is part of the normal aging process and takes place internally by the conscious returning to experiences, reviewing unresolved conflicts, and reintegrating these thoughts into a deeper understanding of oneself. This process leads to a greater self-awareness, and self-acceptance, hence a more meaningful view of one's life. Writing this thesis, particularly the biographical and autobiographical

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<sup>3</sup> Carmel Bird puts it another way: “Because you have decided ... to write your memoir, you are really asking yourself a question: what has my life been about so far? *Writing the Story of Your Life – The Ultimate Guide*, 2007: 48.

<sup>4</sup> Citing Joan Didion, Carmel Bird suggests, “the impulse for much writing is homesickness” (2007: 42). Joan Didion is the author of *The Year of Magical Thinking*. A.A. Knopf, New York: 2005.

<sup>5</sup> Nancy Richeson is currently teaching at the University of Southern Maine <http://www.recreationtherapy.com> Accessed: 20 November 2010). The statement referred to comes from “Autobiographical Writing: An Innovative Therapeutic Recreation Intervention”, <http://www.recreationtherapy.com/articles/autobiographical.htm>

<sup>6</sup> See for example, Atkinson: 1995, Watson, D., Clark, L., & Tellegen, A. Development and validation of brief measures of positive and negative affect: The PANAS scales *Journal of Personality and Social Psychology*, 54(6), (1988: 1063-1070).

<sup>7</sup> Dr. Robert Butler, author of *Why Survive? Being Old in America* coined the term “life review” fifty years ago. Before that time, researchers and physicians saw reminiscence as just a stepping stone toward senility and dementia. He disagreed with this belief and proposed that, as people age, reminiscence and life review were a normal part of healthy aging. Now large bodies of research show the positive outcomes from reminiscence and life review (<http://www.selfgrowth.com> Accessed: 20 November 2010).

material, has been therapeutic and led me to a better understanding of myself. I further argue that this is a necessary step for those affected by past policies in building or rebuilding healthy, productive lives. Therapeutic benefit notwithstanding, the central thrust of this thesis is to highlight vulnerability as a key issue in many Aboriginal people's lives. The thesis situates narrative writing as a tool in theorising vulnerability among Aboriginal people.

Undertaking a Diploma course in *University Studies* at Murdoch University<sup>8</sup> was central to my journey into a new life. Instrumental in my enrolment at University was a first time meeting with Cousin Marie Taylor<sup>9</sup>. I was introduced to Marie by Lilly<sup>10</sup> who volunteered to assist me in my attempt to trace family members, especially as she already knew some of them, including Marie. From that first meeting, Marie persuaded me to take the Diploma course on the basis that it would provide further opportunities to meet and connect with my people. This subsequently proved to be the case, and it became a powerful source of personal enrichment and healing. Indeed, I was able to sit at the feet of my people, and learn about my Aboriginal heritage from them<sup>11</sup>. The Diploma Course equipped me with the basic structures and tools needed to embark on this journey of rebuilding a new life through writing. This course ignited a flame within, motivating me to investigate and record my family history in general and my own in particular, so that I could understand the history of my vulnerability.

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<sup>8</sup> This course is designed to give Aboriginal people of all ages, the opportunity to qualify for entrance to Murdoch University, which is located in a suburb of the same name, 10 kilometres south of Perth.

<sup>9</sup> Marie was a staff member at *Kulbardi* (Centre for Aboriginal Studies within Murdoch University). She taught Nyoongar Language and Culture to Diploma students and undergraduates.

<sup>10</sup> I met Lilly at the then Nyoongar Language and Cultural Centre in East Perth, where *Stolen Generation* people met to engage in healing therapy.

<sup>11</sup> I remain forever grateful to Marie for the influence she brought to bear on my life at a time of uncertainty regarding the direction my life should take.

By the time I had completed the Diploma Course, my desire to research ancestors and write about them had intensified. I began this work through a Masters program. At the same time, I became convinced of the importance of recording an account of my own life as a member of the Stolen Generations. For a time, I experienced anguish over deciding where my focus should lay, until I decided to combine both. My belief was based on the assumption that these areas of research were inextricably linked. I believed that this would be a constructive way of addressing central questions relating to my life and understanding of vulnerability as a key factor in the lives of other Aboriginal people who have problems with alcohol and relationships. Researching the lives of my ancestors was important for several reasons. It allowed me to get to know them, and in so doing create a spiritual connection with them. This is similar to the process of family reconnections that many members of the Stolen Generations have gone through. I hoped that knowing my family's past would reveal the seeds of my vulnerability, my inability to overcome this, and the negative impact of this on the lives of others. Meanwhile, the more immediate question I faced, was how best to go about this task. I had to move to a higher level of thought. Meanwhile, I had heard that voice deep within urging me on<sup>12</sup>.

On completing my Masters, I realised that the work was part of a larger work. In the autobiographical section of this earlier work, for example, I had described how I was removed from my family, who the key people involved were, and what childhood was like in my adopted situation<sup>13</sup>. This did not lead me to the research on vulnerability. I needed to develop the work to include outcomes in adult life because my removal and later outcomes

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<sup>12</sup> Steve Perry is the author of *The Alexandria Link* (Hodder & Stoughton: 2007). In an interview with Margaret Throsby (21 March 2007) on ABC Radio Classic FM. Perry spoke about "the little voice that all writers have". It is, Perry went on to say, "this voice that drives you forward and the only way to hush this voice is to write".

<sup>13</sup> *Meeting Your Depth*, Shaw: 2003: 52-80, Murdoch University: Reserve section.

were closely linked. Herein lays the driving force behind the autobiographical section of this thesis. It is intended to provide a window into a discussion on vulnerability among Aboriginal people, and the relationship between childhood experiences and outcomes in later life. The act of telling my life story is a daunting prospect. It exposes many aspects of my life that I do not like. However, it became increasingly clear to me that it would be one of the most important things I could do. This, together with stories told through my ancestral research, and stories told by descendants, provides the strands, that when woven together, constitute this body of work.

In the course of writing this thesis, my understanding of the concept of vulnerability among Aboriginal people grew, both in relation to myself, and in the lives of others. Through my participation in healing groups set up to support members of the *Stolen Generations*, I increasingly became aware of such issues as loss of identity, denial of access to Cultural knowledge, and the ramifications of inappropriate parenting. I grew into an understanding that current issues, such as domestic violence, high rates of imprisonment, suicide, child abuse and neglect, are rooted in vulnerability, which is itself rooted in the history of invasion into Aboriginal people and Culture. The removal of the right of Aboriginal people to care for their own children is crucial in understanding the relationship between past policies and current issues, because it irreparably damaged the social fabric of Aboriginal family life.

The WA *Aborigines Act* 1905 dispossessed and disempowered Aboriginal people by stripping them of all legal rights, and transferring these rights to the Chief Protector of Aborigines and his Departmental representatives, the police. The *Royal Commission into Aboriginal Deaths in Custody* (1991) identified racism as one of the major causes of

Aboriginal disadvantage. Ramifications of such policies continue to impact on Aboriginal people, as evidenced through the findings of the *Royal Commission* (Regional Report of Inquiry into Underlying Issues in Western Australia: 2000). Findings by this Commission provide a clear connection between outcomes for subsequent generations of Aboriginal people and their internalised effects of racist and discriminatory policies from the past.

The Commission found severe family disruption in every case that came before it. Institutionalisation also featured in a large number of the cases. The relationship between family breakdown and Aboriginal juvenile crime must be seen within a social environment largely shaped by forced institutionalisation and Cultural dispossession (Rutter and Madge, 1976: 5). Herein lays the key source of Aboriginal vulnerability. This vulnerability manifests itself in the excessive alcohol and other drug abuse, along with sexual abuse and suicide. Medical anthropologist Gregory Phillips argues that use of alcohol, and other drugs, generally go hand in hand with destructive and dysfunctional behaviours, and are responses to, and symptoms of, personal and inherited trauma (*The Weekend Australian* 14 July 2007).

Phillips' hypothesis echoes that of Colin Tatz, who has spent forty five years researching and teaching in Aboriginal Affairs, especially in the areas of history, politics, administration, education, economics, law, health and sport. In 1964, he founded and directed what is now called the Centre for Australian Indigenous Studies at Monash University, and in 1993 the Centre for Comparative Genocide Studies at Macquarie University. Tatz states, that after forty years of working towards improvement in Aboriginal affairs, in education, health, housing, law, economics, politics and sport, he is “... forced to recognise a deterioration in the daily conditions of Aboriginal life” (2005:

xxii<sup>14</sup>). Tatz also acknowledges former social attributes of Aboriginal life, including kinship, reciprocity, mutuality, sharing, care of the young and old, and incest taboos have been abrogated. For Tatz, many Aboriginal people with previously ordered lives who now have disordered lives, and the inevitable outward indicators of their despair are alcohol and drug abuse, and the attention of the police (2005: xxiii). Tatz identifies several contributory factors directly related to suicide among young Aboriginal people including the absence of purpose in their lives, the low number of role models and mentors, and ineffective parenting (2005: 95 - 106). In relation to ineffectual parenting, Tatz argues that:

There are two forms of dilution of responsibility [in parenting]: first, abandoning responsibilities in the belief, or hope, that others will do what has to be done; second, not having the skills to parent in the first place ... Removal of children from their parents has produced several generations who have no role models and no traditions to guide them in this special undertaking (2005: 100).

Tatz' view was exemplified on 3 October 2011, when Western Australian Police Commissioner Karl O'Callaghan released crime s showing that juvenile crime is escalating with 50 per cent of burglaries are committed by people 18-years-old or younger. Mr. O'Callaghan spoke out about the statistics saying that it was alarming that Aboriginal boys represent 61 per cent of those juveniles although Aboriginal people only constitute 15% of the WA population. Mr. O'Callaghan went on to tell Bryce Green of ABC Radio's Morning Program<sup>15</sup> that the number of home burglaries committed by young people is extremely high, and Aboriginal children commit most of them.

Another factor identified by Tatz as contributing to youth suicide among Aboriginal children and youth is molestation and abuse of children. He cites one professional, for

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<sup>14</sup> Tatz, *Aboriginal Suicide is Different – A Portrait of Life and Self Destruction* (2005).

<sup>15</sup> <http://www.abc.net.au/local/stories/2011/10/03/3331066.htm> Accessed: 29 November 2011.



example, who operates a First-offenders Post Release program as saying that those who slash have been sexually abused. Tatz concludes that, “[t]here is also strong anecdotal evidence from parasuicides that sexual abuse is a major factor in their lives” (2005: 101). For Tatz, alcohol and other drugs are often associated with suicide or attempted suicide. Furthermore, Tatz sees the alcohol and drug factor, unknown thirty years ago, as currently rampant within many Aboriginal communities. It is in this regard, that the understanding of the visible face of vulnerability, as seen in drinking to excess in parks, and fighting angry youth, is developed among the wider community. In addition, this understanding of manifestations of Aboriginal vulnerability may influence the way governments and relevant organisations, including schools and health systems, provide appropriate support and facilities.

## 1.2 Methodology

In his discussion on the theory and method of life histories, William Runyan (1982)<sup>16</sup> distinguishes between life history as a *method*, and life history as a *subject matter*. According to this author, there is no single life history method any more than there is a single personality research method. Runyan describes the study of life histories as including phenomenological self-reports, archival research, prospective longitudinal research and experimental research (1982: 6). Situating the biographical thread of my work within this paradigm, it is primarily concerned with what Runyan refers to as the “life history method”, that is, of people telling their own stories. In transcribing and editing government and church records, together with the information provided through interviews, and the telling

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<sup>16</sup> William Runyan lectures in Human Behaviour and Social Environment, Life Histories and Personality Theory at the University of California, Berkeley, [http://socialwelfare.berkeley.edu/school/sch\\_index.htm](http://socialwelfare.berkeley.edu/school/sch_index.htm) Accessed: 2 March 2006.

of my story, I have followed the conventional analytic process of identifying the major issues contained in these sources.

Initially, I identified my ancestral research and the interviews with descendants as belonging to the genre of biography, as distinct from the telling of my own story, identified as belonging to the genre of autobiography. In the course of my writing, however, these traditional literary genres coalesced, forming the one story with the common theme of vulnerability. Just as the rhythmic flow of the shuttle when weaving unites the warp and the weft, so too the separated strands of my tapestry (the stories, the voices etc.) combine to form one composition. On reflection, it occurred to me that this is how it should be, because from an Indigenous point of view, what I am writing about is ‘our collective story’<sup>17</sup>. Through the reconstruction of the stories of our Nyoongar Ancestors, I have been able to connect to both their vulnerability and their strengths. While the stories provided by descendants of the Shaw Nyoongar family show how they were able to maintain a strong connection with their Ancestors and family, I was not. On the contrary, I was brainwashed into believing my family didn’t want me, and that it was in my best interest not to associate with my own people. The deep pain felt by all members of the ‘Stolen Generations’, which creates their vulnerability, manifests itself in many different ways, such as alcohol abuse, and an inability to relate to others, as the telling of my story shows. Charlie, on the other hand, with his wife Marjorie, has successfully raised a family of his own. Further, Charlie has played a key role in Native Title, especially as an elected representative for the Yued people at a Federal Court hearing. Lillian visits country and family regularly. Both Lillian

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<sup>17</sup> In the telling of my own story, I use ‘my’ to disassociate existing family members from certain outcomes in my adult life. These outcomes have no relationship to my natural family, simply, because I was not with them. This is not intended, however, to detract from the Cultural understanding of story as ‘our story’.

and Charlie can do these things because they have a living history with Ancestors and Descendants. Unlike me, they have not turned to excessive alcohol use to fill a gap in their lives or take away the pain of not knowing who they were.

In her discussion on Aboriginal Women's autobiographical narratives, Ann Brewster<sup>18</sup> claims that there is no conflict between the genre biography and autobiography, when viewed from an ethnographic perspective. She argues:

The blurring of the boundaries between one's own life story and that of other family members, and the fact that the former is so intricately bound up with the latter, indicates that the nomenclature of this genre is problematic ... This is true of many Aboriginal writers whose exploration of the past is an arena in which they can define their own Aboriginality (1996: 8).

Brewster resolves the dilemma of 'blurring boundaries' by substituting the noun 'autobiography' with the term 'autobiographical narrative'. She refers to such texts as Sally Morgan's *My Place* and Alice Nannup's *When the Pelican Laughed*, for example, in which she acknowledges the respective authors as examining their own lives " ... within the context of other family members". Brewster concludes that such texts are "... both autobiographical and biographical" (1996: 9). Brewster's view of an Indigenous way of thinking and literary genre has an important implication for my work. Because I am reflecting on my own life within the context of my ancestors and their descendants, I regard the finished work as 'autobiographical narrative'.

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<sup>18</sup> The works of Ann Brewster include, *Those who remain will always remember: An Anthology of Aboriginal Writing* (co-edited with Angeline O'Neil, and Rosemary van den Berg, Fremantle Arts Press: 2000). Brewsters' research interests are in Aboriginal literatures, whiteness and critical race theory, fictocriticism and explorative methodologies, American language writing, and Singaporean and Malaysian literatures in English ([http://www.english.arts.unsw.edu.au/engl/staff/brewster\\_a.htm](http://www.english.arts.unsw.edu.au/engl/staff/brewster_a.htm) Accessed: 8 May 2007).

Laura Marcus, in *Auto/biographical Discourses: Theory Criticism Practice* (1994), presents a critical study of autobiography as a genre, acknowledging it as an emerging concept in 19th- and 20th-century thought. Drawing on a wide range of writings, both literary and theoretical, and stating that autobiography has played a central role in feminist thought, she shows how autobiography and biography have been crucial in debates over subject and object, public and private, fact and fiction. Marcus argues that autobiography has itself been perceived as an unstable and hybrid genre, appearing either as, "... a dangerous double agent moving between these oppositions, or as an instrument of their reconciliation" (1994, 289). Further, in discussing autobiography and ethnicity, however, she argues that, "... their hybridity in fact anticipates the general opening-up of generic boundaries in recent years and a particular interest is in the relationship between biography and autobiography, auto/biography and ethnography" (1994, 289). Marcus further states, that attempts to redefine autobiographical representation are in the process of evolving, and an important dynamic within this development is that of ethnographic discourse because individual identity inevitably involves 'ties and responsibilities'. For Australian Aboriginal people, this is termed 'collective identity', as the works of Sally Morgan, Alice Nannup, and artist Julie Dowling illustrate.

It is within the context of an ethnographic understanding of auto/biography that, while classifying my ancestral research of family members as typically biographical, and classifying my own story as typically autobiographical, I do not consider these accounts in isolation from each other. Understood from an Indigenous perspective, they constitute a paradigm, in Marcus' terms, of 'autobiographical narrative'. The problem for some, of 'blurred boundaries', however, is resolved by using the term 'auto-ethnography'.

### 1.3 Auto-ethnography

In the course of reading Mary Tertzak's Stolen Generation story, *Orphaned by the Colour of My Skin* (2008), I was introduced to the post-modern concept of 'auto-ethnography'. Tertzak takes her methodology from *Auto/Ethnography: Rewriting the Self and the Social* (1997), edited by Deborah Reed-Danahay. In departing from the traditional stance taken by anthropologists, who study 'others' ethnographically, Reed-Danahay explores forms of self-inscription on the part of both the ethnographer and those 'others' who are studied. Informed by developments in postmodernism, postcolonialism, and feminism, this is an original contribution to the growing dialogue across disciplinary boundaries. Reed-Danahay explains auto-ethnography:

Can be done by either an anthropologist who is doing "home" or "native" ethnography or by a non-anthropologist/ethnographer. It can also be done by an autobiographer who places the story of his or her life within a story of the social context in which it occurs [Emphasis mine] (1997: 9).

The more I came to understand this concept, the greater appeal it had for me, as it clearly articulates the objectives of my overall work, and resolves the dilemma of not mixing literary genres. Like Tertzak, I have been engaged in a quest to reconnect with family, kinship, community and Culture, through my threefold writing strategy of combining ancestral research, biographical research, and autobiography. Because auto-ethnography is more than autobiography, and encompasses a web of narratives where stories about self are linked to other stories and Cultural discourses, this allows me to, "... observe from outside, exploring the borders between myself, and the subjects of my inquiry" (Denzin, 1998: 24). By using this writing strategy, I am able to better position myself as to observe of my own life. I do this to show the effects of removal, thereby providing a way in to understanding

the vulnerability of those, including myself, who have been removed from their families. Stories of ancestors compiled from government records, and records held in the archives at New Norcia<sup>19</sup>, explain how vulnerability was created for those living under government legislation at that time. Stories of descendants have been reconstructed from personal interviews. These stories also provide a door to a further understanding of the vulnerability of Aboriginal people as generational.

#### **1.4 How auto-ethnography works**

Drawing on Reed-Danahay (1997), Terszak explains that auto-ethnography, “... provides an intensive and in-depth way of closely examining the effects of removal policies and assimilation upon an Aboriginal person” (Terszak: 2008: 115). Her research is a critical self-reflection of the struggle to link into the lives of people she is connected to biologically, yet disconnected from through life style or socialisation (2008: 117). Reed-Danahay terms this the “phenomenon of displacement” (1997: 4), which explains the dualism of identity, and “insider/outsider” status of the writer. She explains how auto-ethnography can address this phenomenon:

The ability to transcend everyday conception of selfhood and social life is related to the ability to write or to do ethnography ... it provides a rewriting of the self and the social (Reed-Danahay, 1997: 4).

Reed-Danahay continues her explanation by stating that auto-ethnography stands at the intersection of three genres of writing:

“native anthropology,” in which people who were formerly the subjects of ethnography become the authors of studies of their own group; (2) “ethnic autobiography,” personal narratives written by members of ethnic

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<sup>19</sup> New Norcia is a Benedictine Abbey, which I refer to later in the chapter.

minority groups; and (3) “autobiographical ethnography,” in which anthropologists interject personal experience into ethnographic writing (1997: 2).

She explores various intersections, blending of genres and voices, to rethink several assumptions about the relationship between ethnography and autobiography<sup>20</sup>. She defines auto-ethnography as a “form of self narrative that places the self within a social context”. ‘Social context’ can take many forms, however, ‘cultural displacement’ or ‘situation of exile’, are common themes auto-ethnographers explore:

Whether the autoethnographer is the anthropologist studying his or her own kind, the native telling his or her life story, or the native anthropologist, this is not completely “at home.” The ability to transcend everyday conceptions of selfhood and social life is related to the ability to write or do autoethnography (Reed-Danahay: 1997, 4).

Reed Danahay provides a further clue to understanding the concept of auto-ethnography in her Introduction, when she describes her own work as:

the common thread linking the chapters together [in this work] is that they are about life stories, sometimes our own, sometimes those of others, and sometimes both (1997: 1).

This is illustrated throughout the text, which is the work of several authors, who combine several meanings of the term, and develop its implications (1997: 9). The main characteristic of an auto-ethnographic perspective is that the auto-ethnographer is a boundary crosser, who “foregrounds the multiple nature of selfhood and opens up new ways of writing about social life” (1997: 3).

The question of voice and its authenticity is a central concern for auto-ethnography and Reed-Danahay insists we must ask, “Who speaks and on behalf of whom”. These are, she suggests, vital questions to ask of all ethnographic and autobiographical writing. In this

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<sup>20</sup> A theme taken up in the work of Caroline Brettell, in her work “Blurred Genres and Blended Voices: Life History, Biography, Autobiography, and the Auto/ Ethnography of Women’s Lives” (223f).

respect, she acknowledges that the voice of the insider is assumed to be truer than that of the outsider (1997: 3). This resonates with the work of Michael Foucault<sup>21</sup>, and his view of genealogy, compared with the role of the archive within history. Foucault uses the term genealogy to refer to, "... the union of erudite knowledge and local memories which allow us to establish a historical knowledge of struggles and to make use of this knowledge tactically today"<sup>22</sup>. Genealogy for Foucault focuses on the local, the discontinuous and illegitimate knowledge against the claims of a unitary body of theory.

An archive is a system, which governs the appearance of statements as historical events, as contained in governmental reports. The archive of a society, culture, or civilisation is a system of formation or transformation of statements and is characterised by discontinuity in that it tells us what we can no longer say. Thus, the description of any discursive formation is archaeology<sup>23</sup> that writers, including myself, work through the archives to authenticate the auto/bio/auto/ethnic writings we produce.

I digress briefly, to introduce Foucault's ideas of genealogy and archaeology, because they have guided my research method. Foucault importantly argues that genealogy deconstructs truth. He argues that truth, more often than not, is discovered by chance. Therefore, all truths are questionable. Highlighting the unreliability of truth, Foucault's work refuses the uniformity of history. It emphasises the irregularity and inconsistency of truth, thereby displacing the notion that history progresses in a linear path. The practice of

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<sup>21</sup> Michel Foucault (1926 - 1984) is best known for his [critical studies](#) of social [institutions](#), most notably [psychiatry](#), [medicine](#), the [human sciences](#), and the prison system, as well as for his work on the [history of human sexuality](#). His writings on power, knowledge, and discourse have been widely influential in academic circles.

<sup>22</sup> <http://www.eng.fju.edu.tw> Accessed: 3 April 2011. See also During: 1992: 125.

<sup>23</sup> Foucault, 1972: 128f.



genealogy is also closely linked to what Foucault called his “archaeological method”.

Foucault says of the archaeological method of analysis:

It seems that from the empirical observability for us of an ensemble to its historical acceptability, to the very period of time in which it is actually observable, the analysis goes by way of the knowledge-power nexus, supporting it, recouping it at the point where it is accepted, moving toward what makes it acceptable, of course, not in general, but only where it is accepted. This is what can be characterized as recouping it in its positivity. Here, then, is a type of procedure, which, unconcerned with legitimizing and consequently excluding the fundamental point of view of the law, runs through the cycle of positivity by proceeding from the fact of acceptance to the system of acceptability analyzed through the knowledge-power interplay. Let us say that this is, approximately, the archaeological level [of analysis]<sup>24</sup>.

Foucault’s concept of genealogy is the history of the position of the subject, which traces the development of people and society through history. His genealogy of the subject accounts for the constitution of knowledge, discourses, domains of objects etc., without having to make reference to a subject which is either transcendental in relation to the field of events or runs in its empty sameness throughout the course of history. Foucault also describes genealogy as a particular investigation into those elements, which “we tend to feel [are] without history”. Genealogy is not the search for origins, and is not the construction of a linear development. Instead, it seeks to show the plural and sometimes contradictory past that reveals traces of the influence that power has had on truth. For Foucault, the method of genealogy involves a painstaking rediscovery of struggles, an attack on the tyranny of what he calls “totalizing discourses” and a rediscovery of fragmented, subjugated, local and specific knowledge. This stands against great truths and grand theories. This discussion of Foucault’s concepts of ‘archive’ and ‘genealogy’

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<sup>24</sup> Foucault, Michel. “What is Critique?” in *The Politics of Truth*, Ed. Sylvère Lotringer. New York: Semiotext, 2007: 61.

contribute to the theoretical basis of this thesis. It also points to the methodological approaches within an auto-ethnography paradigm.

### **1.5 Applying an auto-ethnography approach in this research**

Research of my own ancestral history engages in the construction of a genealogy that exposes truths, which have been largely unacknowledged. To develop my ancestral research on the Indigenous branch of the Shaw family tree I needed access to government files. At first, this was denied based on my adoption. After formally reclaiming my family name, being welcomed back into the family, and embracing my Aboriginal identity, I applied a second time. However, the same Department that had authorised my removal stood firm in their refusal not to grant me access to information on my natural family. Because my older brother, Charlie Shaw, was permitted to have copies of files relating to the Shaw family, he passed them on to me<sup>25</sup>. From this invaluable source, together with archival information made available to me by the Benedictine Abbey in New Norcia, I have constructed the stories of our ancestors. The archives at New Norcia provide an important source for the study of the process of colonisation in Western Australia in general, and the establishment of the Catholic Church in particular.



**Figure1. The Benedictine Abbey, New Norcia**

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<sup>25</sup> Changes in legislation now make it possible for adoptees to access their family information.

Information from government files and other archival information have enabled me to provide factual accounts of the lives of our ancestors<sup>26</sup>. The *Department for Aboriginal Affairs*<sup>27</sup> recorded the documents. They are composed mainly of letters between ancestors and the Chief Protector of Aborigines. The key Chief Protector in these communications is A.O. Neville<sup>28</sup> (or his deputy), who holds a central place in the grand narrative<sup>29</sup> of government dealings with Western Australian Aborigines<sup>30</sup>. There are also written communications between the Local Protector (usually the police, Superintendents of Missions and Settlements), and the Chief Protector. In addition, there are a number of related office memos and records of visits to locations by Neville, which he has carefully recorded, including conversations between an ancestor and himself. I have attempted to reproduce much of this written evidence in such a way that the people involved tell their own story. In this way, I have attempted to provide our ancestors with an opportunity to tell us what their past lives were like, thereby illustrating ways authorities deprived them of autonomy and independence, which contributed to them, and successive generations, being

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<sup>26</sup> In the construction of my story however, and in contrast to ancestral narratives, I have had to rely on both personal memory, combined with what others I have told me. Carmel Bird (2007) acknowledges the dilemma that autobiographers sometimes find themselves in when dealing with these two aspects: "Sometimes it is difficult or impossible to sort out what you really remember and what other people have told you about the past" (10). For me, the information provided by others, especially in relation to childhood, has proved to be invaluable.

<sup>27</sup> This Department was known in the past as *Department of Natives and Fisheries*, then *Department of Native Affairs*, and then the *Department of Native Welfare*.

<sup>28</sup> A.O. Neville held this role from 1915 – 1936.

<sup>29</sup> In his discussion on the grand narratives of emancipation, Jean-Francois Lyotard refutes the principle, "All that is real is rational, all that is rational is real" by referring to the crimes of Auschwitz, and the discrepancy between the Communist ideal and the experiences of those who lived under it. "All that is proletarian is communist, all that is communist is proletarian." By referring to the uprisings in Berlin (1953), Budapest (1956) and Czechoslovakia (1968), he illustrates the discrepancy between the 'grand narrative' and the 'minor narrative'. He concludes that, "the grand narratives have become scarcely credible (1992: 29)." Roland Barthes refers to the same concept, but puts it another way, in his essay 'Neither-Nor Criticism' when he writes, "Everything happens as if there were on one side heavy, defective words (ideology, catechism, militant), meant to serve for the ignominious game of the scales; and on the other, light, pure, immaterial words, noble by divine right, sublime to the point of evading the sordid law of numbers (adventure, passion, grandeur, virtue, honour), words placed above the sorry computation of lies" (1973: 81).

<sup>30</sup> See, for example, A.O. Neville's account of Australian Aborigines in *Australia's coloured minority – its place in the community* (Currawong: 1947).

vulnerable in particular aspects of their lives. It also tells us of their achievements, resilience, and determination.

The primary sources have limited me to tracing the lives of our mother, Ruby Shaw, both our grandparents, Victoria Blurton and George Shaw, and our great grandmother and great grandfather, Mary Ann Chubaran and John Frederick Blurton. In this part of the thesis, I have focused on the maternal ancestral line of the Shaw family by moving from family tree to family history, thereby engaging in historiography<sup>31</sup>.

I have supplemented information from these institutional sources by recording stories from selected descendants, in particular Charlie Shaw, Peter Shaw and Lillian McDonald who my removal directly affected<sup>32</sup>. In preparing to write the Shaw stories, I have read the stories of others, both Indigenous and non-Indigenous. Stories provided by other Indigenous writers have served to confirm a growing awareness of my own Aboriginal identity, served as an encouragement to persist with this work and as a guide to methodology. I discovered, for example, that in some ways my reasons for writing about our ancestors are similar to those of Sally Morgan, who describes such writing as "...a vehicle to give people a voice, for people to be heard, a vehicle that can tell our family stories and give a deeper balance and insight into the past as well as the present." She goes on to say that, "our stories are important, the more stories the better. We can all learn from each other, and it helps to build the bigger picture" (Morgan cited in Lake: 2004: 2 - 3). As already stated, for "the bigger picture", I am particularly concerned with how Aboriginal people, including myself, have become vulnerable. Where possible, I have attempted to

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<sup>31</sup> By 'historiography', I simply mean the writing of history, as seen through the eyes of those living at the time.

<sup>32</sup> Lillian (nee Lavis) is the daughter of Margaret Shaw. The Shaw family regards her as our current Matriarch.

expand the historical context of a particular ancestor by researching the histories of the places where they lived, and noting any significant events associated within their lifetimes.

In the third section of my work, I describe outcomes in my adult life, arguing that a definite link exists between removal from my natural family, my foster mother, the subsequent childhood experience, and later outcomes in adult life<sup>33</sup>. In this section of my work, my objective is to reveal the connection between childhood experience and adult life, or as Bird expresses it, “expose the truth of past wrongs, to illuminate the darkness that inhabits many areas of human history” (Bird: 2007: 16), metaphorically speaking, I am repairing a torn tapestry.

Stories can be told through art, as Julie Dowling demonstrates. Dowling is an Indigenous artist of Yamatji and Budimaya descent. She explains the underlying reason for her paintings: “I began painting this series of portraits as a meditation on the lives of individuals who were and are removed from their families through separation by government regimes and church incentives”<sup>34</sup>. Kathryn Neville<sup>35</sup> suggests that Dowling’s art allows us to “... further examine pivotal themes in (Western) Australian history” (2008: 47). According to Neville:

Her work both locates and investigates a division, or disjuncture, between the State’s ‘official’ narratives (or reason) and individual accounts of people personally affected by the State’s racial policies ... through her paintings, [Dowling] seeks to expose the complicity between legislative

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<sup>33</sup>In her discussion on approaching the writing of one’s memoir with a revengeful attitude, Carmel Bird (2007) counsels against this. This does not mean to say, however, that one cannot attempt to “expose the truth of past wrongs” (16).

<sup>34</sup>Dowling is referring here to *Icon to a Stolen Child: Fetish* (1998) and *Icon to a Stolen Child: Fire* (1998), just two examples of her work. Here, she depicts Indigenous children who were fostered out to white families, signifying the immeasurable loss and trauma experienced by members of the *Stolen Generations* and their families. In *Aunties with Cards* (1999) and *Her Father’s Servant* (1999), Dowling provides further insights into her family’s history (Hosseini: 2009).

<sup>35</sup> *Art Intervention and the Cultural Imagination – Reading the Art of Gordon Bennet and Julie Dowling*, Honours Thesis, Murdoch University: 2008.

decrees, religious dogma and the spurious rhetoric of Anglo-Australia's legal and justice systems (8-9).

At an exhibition Curatored by Jeanette Hoorn, in which Dowling displays paintings that explore family, history, memory, loss and trauma, Varga Hosseini<sup>36</sup> observes:

One of the impressive achievements of this retrospective is that it showcases the enormous scope and diversity of Dowling's vision ... The compilation of sixty-one portraits weaves a lavish tapestry of subjects, among them family members and distant relatives; notable s in Indigenous Australian history; dispossessed and displaced members of the Stolen Generation; unsung Indigenous Australians, and a selection of intricate and moving self-portraits.

Circumstances such as these shape her family's life, and stimulate her urge to paint. As Hoorn observes:

The most exemplary and indelible [of these circumstances], and one that forms the premise of her icons is the forced removal of her family members (Hosseini: 2009)<sup>37</sup>.

Arising out of my experience of storytelling through Dowling's paintings, I have included photographs to assist in my story telling. These work in a similar way to paintings.

#### **1.6 Key terms used in ancestral research**

In this section, I explain the terms, 'ancestor', and 'Stolen Generations'.

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<sup>36</sup> Varga Hosseini: *Uncanny Beauty: Interpreting the Portraits of Julie Dowling*, (<http://www.emsah.uq.edu.au> Accessed: 15 June 2009). Varga Hosseini is a Melbourne based writer, poet and visual artist.

<sup>37</sup> In her *Icon to a Stolen Child: Teacher* (1999), Dowling is symbolically referring to the stolen generation of Aboriginal children who were taken away from their families. The work is distinguishable as Aboriginal by the dot painting and colour patterning. The dark tones of the faces identify the children and mother as part of the Indigenous culture. The sad expression and tears of the children emphasise the sadness associated with the separation of Aboriginal children from their families.

*i. Ancestor*

An 'ancestor' refers to someone from whom I am directly descended. 'Ancestral history' includes forebears in all lines of descent, both male and female. 'Family', in genealogical terms, consists of people of the same surname (usually) and blood. 'Family history' tells of their activities and the external events and influences that impinged on their lives. It also tells of their fortitude in the face of these external influences. It places them in their various contexts, domestic, occupational, social and geographical. It seeks to explain the reasons for any changes in family circumstances and to describe the consequences.

My ancestral research is based on primary sources. The documents used in this research, for example, record events associated with a particular time, and from the perspective of official history, are regarded as 'primary evidence'. Letters between the Chief Protector of Aborigines and a particular ancestor are further examples of primary sources<sup>38</sup>.

*ii. Stolen Generations*

The 'Stolen Generations' are those Aboriginal and Torres Strait Islander people who were removed from their families, and in most cases from their 'country' or the traditional land of their language group. Government authorities removed them because of their Aboriginality. Often, they have not been able to return to their families. Until as recently as the 1960s, Aboriginal children of mixed descent were systematically removed from their families 'to be brought up white'. The official intention was to assimilate such children into white society, by destroying family links and eradicating all knowledge of their Aboriginal

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<sup>38</sup> For definitions of 'primary' and 'secondary' sources I have referred to the Reference Department of Indiana University, drawing from Gonzalez (2002), <http://www.indiana.edu/~librcsd/libguide/ps.html> Accessed: 17 March 2007.

society and Culture. The Stolen Generations, therefore, represent a vulnerable group within Australian society who has directly suffered as the result of past government policies affecting both them and their families.

Despite evidence to the contrary, certain sections of Australian society argue that removal of Aboriginal children from their families was ‘for their own good’<sup>39</sup>.

Haebich (2000) situates this within an historical context by stating that adoption of Aboriginal children flourished following the Second World War, accompanied by a white middle class punitive attitude towards unmarried mothers:

They were deemed ‘immoral deviants’ rather than ‘victims’ and were considered less attached to their babies than married mothers ... With adoption it seemed that everyone benefited ... children escaped the stigma of illegitimacy and joined comfortable middle class families, childless parents had the joys of parenthood (542).

For many years, Indigenous children who also had European ancestry were removed from their parents so that they could be ‘socialised’ into a European way of life. If the children could be raised to think ‘white’, then they would be better off. European culture and way of life was deemed far superior to that of the Indigenous people, who were regarded as incapable of looking after themselves or their children. These children have become known as the ‘Stolen Generations’. Not only were they stolen from their families, many also had

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<sup>39</sup> A term used by Anna Haebich as the title of her PhD thesis and subsequent publication, *For Their Own Good – Aborigines and Government in the Southwest of Western Australia, 1900-1940*, University of Western Australia Press, Nedlands: 1988. Haebich acknowledges the source of this term taken “from a marginal note made by John Forrest during his reading of clause 4 of “*An Act for the further Protection of the Aboriginal Race of Western Australia*”, which proposed to give the Governor the right to appoint Aboriginal reserves and remove Aborigines to them.” Forrest commented, “This would make Prisoners of these poor people in their own country. For their own good it would be said but why not apply the law to the white people also ...” (Inside front cover).



their heritage and identity stolen from them<sup>40</sup>. Despite the assimilationist aims, however, many stories also show how some kept their heritage and identity. Personal narratives of those removed testify again and again against these assimilationist claims rendering them invalid<sup>41</sup>, as illustrated by the stories documented in the *Bringing Them Home Report*, which opens with the words, “Grief and loss are the predominant themes of this report” (3).

In Western Australia, the first act of child removal was carried out by one of the highest ranking officers in the Swan River Colony, Lieutenant Governor Irwin in 1833. Following the execution of Midgegooroo (a Nyoongar Warrior), settlers took his son Billy to live in Fremantle. Following repeated requests, he was eventually reunited with his mother four months later (Hallem and Tillbrook: 1990). Removal of Aboriginal children at this time was not legal, but little was done to stop it.

The Colonial government introduced legislation to structure ways the government, and settlers, related to Aboriginal people. Statutes such as the *Aborigines Act 1895* (WA), *Aborigines Act 1905* (WA), and the *Native Welfare Act 1954* (WA) gave State authorities legal control over all Aborigines. The removal of Aboriginal children from their parents was an attempt to assimilate children of ‘mixed Aboriginal blood’ into the white community. In 1937, *The Telegraph* (Brisbane, 5.5.37) reported:

Mr Neville [Chief Protector of Aborigines in Western Australia] holds the view that within one hundred years the pure black will be extinct. But the half-caste problem was increasing every year. Therefore their idea was to keep the pure blacks segregated and absorb the half-castes into the white

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<sup>40</sup> [http://www.skwirk.com/p-c\\_s-14\\_u-120\\_t-328\\_c-1127/nsw/history/changing-rights-and-freedoms-aboriginal-people/stealing-a-generation-assimilation-/why-were-children-removed](http://www.skwirk.com/p-c_s-14_u-120_t-328_c-1127/nsw/history/changing-rights-and-freedoms-aboriginal-people/stealing-a-generation-assimilation-/why-were-children-removed), Accessed: 20 September 2011.

<sup>41</sup> See, for example, Carmel Bird (Ed), 1998: *the stolen children – their stories*, Random House, Sydney: 1998, *Many Voices – Reflections on experiences of Indigenous child separation*, Doreen Millor and Anna Heibich (Eds), National Library of Canberra, Canberra: 2002, and *Bringing Them Home – National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families*, Commonwealth of Australia: 1997.

population. Sixty years ago, he said, there were over 60,000 full-blooded natives in Western Australia. Today there are only 20,000. In time there would be none. Perhaps it would take one hundred years, perhaps longer, but the race was dying. The pure-blooded Aboriginal was not a quick breeder. On the other hand the half-caste was. In Western Australia there were half-caste families of twenty and upwards. That showed the magnitude of the problem. In order to secure this complete segregation of the children of pure blacks, and preventing them ever getting a taste of camp life, the children were left with their mothers until they were but two years old. After that they were taken from their mother and reared in accordance with white ideas (Buti: *Aboriginal Law Bulletin*, December 2009).

Under the legislation referred to above, some Aboriginal children were placed in missions, largely controlled by Christian churches, while some children were fostered out to white families, and others were adopted out, often without the consent of their parents. The aim of Missions was to 'Christianise' and 'civilise' Aboriginal children:

The systems of child removal and institutionalisation pointed a way forward for the perennial dream of effectively 'Christianising and civilising' Aboriginal children Haebich: 2000: 148).

'Civilising' them meant training them to become farm labourers and domestic servants. In the mid and late nineteenth and early twentieth centuries, missions became agents of colonisation. In 1846, for example, Bishop Salvado of New Norcia<sup>42</sup> lobbied for legal empowerment to remove children within the Victoria Plains district<sup>43</sup>.

In 1874, the *Industrial Schools Act* empowered managers of Aboriginal missions to detain children until they reached the age of twenty-one (*Bringing Them Home Report*: 1997:

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<sup>42</sup> Salvado was motivated by a strong desire to work in the foreign missions. With the consecration of John Brady as the first Bishop of Perth, Salvado's wish was granted. Arriving at Fremantle in January 1846, he was instructed by Bishop Brady to go into the Victoria Plains region and establish a Mission. On 1<sup>st</sup> March they founded 'The Central Mission', intending to convert Aborigines to Catholicism. This place was later named New Norcia, after Saint Benedict, the founder of his monastic Order. New Norcia is located 132 km north of Perth and belongs to the Shire of Victoria Plains.

<sup>43</sup> The Victoria Plains people belonged to the Bibbulmun tribe (Durack: 1971: 24).

629). In 1901, the Pallottine<sup>44</sup> approach to missionary activity at Beagle Bay<sup>45</sup> was to settle the people and remove the children. Such missionary activity directly influenced the development of both policy and practice for the next fifty years (Choo: 2001: 59). This demonstrates church and government complicity in the removal of children.

In a submission by the Aboriginal Legal Service of Western Australia to the *National Inquiry into the separation of Aboriginal and Torres Strait Islander children from their families*, some of the major effects of removal were listed. These include chronic anxiety and depression, an excessive need for love, and an inability to enter into relationships with other people successfully. A range of experts, including child psychiatrists, child psychologists, and other researchers substantiated these effects. This submission draws on comparative studies of other Indigenous peoples, such as the First Nations people of North America. Similar policies and similar removals were found to have resulted in similar effects (Buti: 1995, Chapter Three). This submission, compiled by Buti, serves to expose the tragic and shameful effects of past policies in Australia, which continue to impact on Aboriginal people today, as people seek out their families, and attempt to rejoin them.<sup>46</sup>

To understand what Tatz refers to as a “New Violence” or “a plague of disorders” permeating the disordered lives of young Aboriginal people, he insists on an examination of the history that has given rise to this effect (2005: 22). He traces the protectionist policies beginning in the 1840s, with the appointment of five Protectors in the five Australian Colonies. Most of these laws, Tatz argues, “... were predicated on the philosophy of

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<sup>44</sup> Pallottines are a Congregation of priests and brothers, originally founded in Rome by Saint Vincent Pallotti in 1835 (pallotti-sac.org, Accessed: 31 December 2009).

<sup>45</sup> The people at Beagle Bay included the Nyulnyul, Nimanburr, Jabirrjabirr and Bardi tribes.

<sup>46</sup> Family Link-Up Services operate nationally. Link-Up Services work together with Aboriginal Corporations in assisting people undertaking family tracing.

‘soothing the dying pillow’ of a race near extinction” (2005: 22). The laws, while designed to keep whites away and Aborigines in protective custodianship, became the source of disempowerment and dispossession, the underlying cause of inter-generational vulnerability.

### **1.7 Introducing the White Branch of the Family Tree**

In this and the next section, I introduce firstly white and then black members of the Shaw family. A traditional starting point for anyone tracing their ancestral history is the ‘Family Tree’. The Shaw tree is composed of two strands: the white strand, and the black strand. As Rose Ann Jupp and Patricia Shaw (2003)<sup>47</sup> have shown through their ancestral research, the white strand is traceable back to English/Irish roots<sup>48</sup>, which represent an impressive and celebrated history. These authors show, for example, that Simon De Schage first recorded the name Shaw in 1191. They also refer to links with the writer, George Bernard Shaw who was born in Dublin to William Shaw, a captain in William the Third’s army (Jupp and Shaw: 2003: 5). Elsewhere, mention is made of relatives of George Bernard Shaw who immigrated to Australia (O’Donovan: 1983: 6).

The black branch of the Shaw tree is equally impressive. It is traceable to Aboriginal roots reaching out across the state of Western Australia, from the Nyoongar<sup>49</sup> people in the south, to the Yamatji<sup>50</sup> people to the north. These two strands became interwoven with the arrival of Captain William and Eliza Shaw at Fremantle in February

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<sup>47</sup> Rose Ann and Patricia are situated as white descendants of the English Shaw’s and have compiled a work entitled *The Shaw Family – United Kingdom and Australia – Their Ancestors and Descendants* (2003).

<sup>48</sup> William and Eliza Shaw came originally from Dublin where they were married (Durack: 1976: 22). Their family tree is attached to inside back cover of this edition.

<sup>49</sup> Within this broad generic reference are specific, localised clans. The Nyoongar (Noongar or Nyoongah) Shaw’s belong, for example, to the Yued clan. All Aboriginal identities are acknowledged accordingly.

<sup>50</sup> Yamitji, Yamadyi or Yamaji, identifies the people around the Geraldton area.

1830, and the birth of their sons George Edward Shaw, Robert Casson Shaw and Nathaniel Chapman Shaw. William and Eliza settled in the Upper Swan Valley region (near Guildford, a suburb of Perth), on a property named 'Belvoir' (pronounced Beaver<sup>51</sup>). According to records held by the Midland Public Library and Perth's Batty Library, their estate included 7000 acres in the Avon district, in addition to the 1000 acres on the Swan<sup>52</sup>.



### **With Joy and Hope of Immortality**

#### **2 White Shaw Coat of Arms**

I now introduce Nathaniel Chapman Shaw, George Edward Shaw, and Robert Casson Shaw, Eliza and William's three sons.

#### ***Nathaniel Chapman Shaw (1816 - 1852)***

Nathaniel was born on 24 June 1816 in Howth (Ireland) and named after Eliza's father and William's mother. He was baptised at Howth Castle Chapel<sup>53</sup> (Jupp and Shaw: 2002: 18) Nathaniel had an illegitimate son with an unnamed Nyoongar woman<sup>54</sup>. They named their

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<sup>51</sup> Durack: 1976: 22; Jupp and Shaw: 2002: 4. 'Belvoir' was named after 'Belvoir Castle' in the United Kingdom. This castle has been the ancestral home of the Duke of Rutland for over one thousand years, and according to Jupp and Shaw, is currently the family home of the eleventh Duke of Rutland, the Duchess and their young family (8).

<sup>52</sup> <http://www.midlandlibrary.com/slwa.wa.gov.au> Accessed: 1/5/2002.

<sup>53</sup> In their outline of "Connections to the United Kingdom" Jupp and Shaw (2002: 9), note that 'Howth Castle was originally built in 1464 "... within the grounds can be found the ruins of Howth Abbey and the sixteenth century Howth College."

<sup>54</sup> All that is known about her is that she came from the York area.

child Nathaniel, after his father. Nathaniel Chapman died tragically on the 15 April 1852, the result of being kicked in the head by a stallion. He was thirty-six years of age. He is buried in the Bunbury Pioneer Cemetery, south of Perth (Jupp and Shaw 2003: 19).

*George Edward Shaw (1828 – 1875)*

George Edward Shaw was born on 3 July 1828 at Thrussington<sup>55</sup>, Leicestershire in England. The Rev William Casson baptised him there on 17 August. He died from diphtheria on 9 Dec 1875 at ‘Belvoir’. George Edward is buried in an unmarked grave in the northwest corner of the All Saints Churchyard, Upper Swan (near ‘Belvoir’), along with his father William, and sister Hester Frances Dempster. George Edward had an illegitimate son with a full-blood Nyoongar woman from the Ballardong<sup>56</sup> clan, Mary Ann Ballapon. Mary Ann came from the York area (a wheat-belt town, north-east of Perth)<sup>57</sup>. Mary Ballapon died soon after William (or Willie, as he was referred to) was born in 1860. Eliza Shaw (George Edward’s mother), undertook the responsibility of caring for him, but subsequently arranged with another family to take over his long-term care<sup>58</sup>. She set this in motion by walking from Upper Swan (near Guildford), to Gingin (some eighty kilometres away), carrying Willie in her arms (Durack: 1976: 202; Jupp and Shaw: 2002: 36).

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<sup>55</sup> The Thrussington Church of England Primary School records date back to 1652 (information provided by the Thrussington Library, in Jupp and Shaw: 2002: 10).

<sup>56</sup> According to *The Encyclopaedia of Aboriginal Australia* (1994: 87-88), the Ballardong (or Balardung) people identify with the country surrounding the Swan River, the Avon Valley in the south to Wongan Hills in the north. They were neighbours of the Kalaamaya, Nyaki-Nyaki, Wiilman, Wajuk and Yeud peoples. This same source records that Ballardong country was an area keenly sort after by the early settlers of the Swan River Colony; conflicts escalated as the Ballardong people tried to defend their country. Such conflicts were particularly intense around the town of York. It is reasonable to assume that this is where Mary Ballapon (William’s mother) came from, as the white Shaw’s had a property there.

<sup>57</sup> She is listed among the first to be baptised by the Benedictine monks at the New Norcia Mission. Here, she is registered as ‘Balaban’ and there is no record of the names of her parents (Baptismal Records, New Norcia: 2953A/34).

<sup>58</sup> Records do not show whether this family was white or Aboriginal.

*Robert Casson Shaw (1834 – 1919)*

Robert Casson was born on 4 March 1834 at Belvoir Estate in Upper Swan, Western Australia. He died on 24 March 1919 and was buried in Geraldton (Jupp and Shaw: 2002: 81). Robert was the only son to marry. According to Durack (1976: 235-236), he married an Aboriginal woman from the Shark Bay area. Her name was Lucy Steele<sup>59</sup> (Jupp and Shaw: 2002: 81). Together, they had twelve children. Before this marriage however, Robert was the father of another Aboriginal woman's child. Her name was Mary Frances Bray, and she came from the Champion Bay area<sup>60</sup>. Jupp and Shaw (2002: 81) have provided the following report of their research:

In the month of June 1856 a woman named Mary Bray appeared before yourself and W Lefroy sitting as a bench of Magistrates in this city and obtained from Mr Robert Shaw a promise of payment at the rate of 14 shillings a month for maintenance of an illegitimate child. Such payment was regularly kept up until the 8th March last, and no money has been paid on this account since that time. Unless Mr Shaw, who is in your district and to whom I should feel obliged by your notifying the same, immediately forwards to the woman in question who is at present married and residing at Perth the amount due to her since March and makes arrangements for future payments she will at once institute proceedings against him. (Acting Resident Magistrate, 17 December 1861, Champion Bay – source unknown).

Mary Durack refers to Robert Shaw as being sued by an Aboriginal woman from the Champion Bay area, for failing to provide maintenance for her illegitimate child. For Durack, "He was, like so many young men of the time, sharing the favours of native girls" (1976: 202).

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<sup>59</sup> This identifies her as belonging to the Yamatji people.

<sup>60</sup> This identifies her as also belonging to the Yamatji people. The name Champion Bay preceded the current name of the town of Geraldton.

The Deputy Commissioner of Native Affairs, Mr. A. O. Neville, later visited Robert Shaw's son, Harold Shaw. His recording of the visit has provided important ancestral detail:

When the Commissioner inspected the native camps in the sandhills at Geraldton he went to the wood and iron structure occupied by Harold Shaw and his wife and two daughters, one of whom is married. Mrs. Shaw said her maiden name was Bunter and that her father was a white man. She stated that she was married to Harold Shaw ... Harold Shaw was away droving but Mrs. Shaw informed the Commissioner that she had four girls and a boy named Robert Harris. She said her husband was a son of Bob Shaw and Lucy Steele of Shark Bay (Emphasis mine). She also informed the Commissioner that Ruby and Maggie Shaw were cousins to Harold Shaw ... Mrs. Shaw complained that a white man named ----- had been calling at their camp, apparently to secure one of her daughters. This matter was mentioned to Inspector Thompson and he promised he would have it investigated.

(Office memo, presumably written by one of the Departmental clerks, unsigned, 12<sup>th</sup> October 1937, *Department of Native Welfare*, Personal File: Ruby Shaw 592/37).

Durack refers to Harold Shaw as having "... earned a respected place among the crack shearers of the Murchison district." She adds, however, that Harold "...would have found little in common with the established gentry of the Swan" (Durack: 1976: 236)<sup>61</sup>.

Other well-known white settlers from these earlier times also had generations of part Aboriginal children, who are often not acknowledged in their family trees. Journalist Leisa Scott suggests that this trend is changing. In an article entitled "Dark Secrets, White lies", she claims that while:

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<sup>61</sup> Harold Shaw is also listed in *Dictionary of Western Australians 1829 – 1914*, Volume 5, "The Golden Years 1889 – 1914", (808). Identified as the son of Robert Casson and Lucy Steele, he is acknowledged as "an excellent bush tracker".



The stigma of convict ancestry may be gone ... many white Australians are only just beginning to discover their Aboriginal ties. (*The Weekend Australian Magazine*, 2002: 18).

In the same article, Scott cites Dr. Peter Read (co-founder of the Aboriginal family reunion organisation *Link-Up*<sup>62</sup>) who has observed, "... a phenomenon among younger generations of Aborigines who are embracing the full mix of their heritage." Read suggests that the younger generations, unlike their ancestors, do not experience conflict over their identity. Instead, this is a source of empowerment for them. For some, this allows for a reworking of the damaging binary 'white is good', 'black is bad' or 'black is good' and 'white is bad.' Read suggests that children of mixed parentage no longer carry the negative connotations from the past:

They are beginning to challenge the idea that you are Aboriginal, full stop. They are now saying, 'Why can't I say I'm Italian or Irish as well?' ... the change has grown from two things: their youth, which blinkers them from their forebears' struggle to maintain their Aboriginality; and multiculturalism, which allows their friends to celebrate a diversity they have been encouraged to suppress (Scott: 2002: 18).

Sadly for some, an element of indifference to Aboriginal ancestry persists. At a reunion of members of the wider Shaw family in 2003<sup>63</sup>, for example, it became clear that not everyone present was overly enthusiastic about their Aboriginal connections. To test the accuracy of my reading of the situation, I discussed it with Rose Ann Jupp and Patricia Shaw (organisers of the reunion, and Researchers on the white Shaw history). They

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<sup>62</sup> In the past, the *Aboriginal and Torres Strait Islander Commission* funded *Link-Up* services. The sole objective of these services was to assist members of the 'Stolen Generations' in tracing their families. It also assisted in reuniting them with their families (Accessed from the *ATSIC* website 21/9/05, see Bibliography for website address).

<sup>63</sup> This reunion was held on 2 March 2003, in St. Matthew's Church Hall, Johnson St. Guildford. The venue was in close proximity to the original Shaw property 'Belvoir'.

confirmed my impression and shared their sadness at the continuing presence of apathy towards the black branch of the family tree<sup>64</sup>. My wish, as indeed is the wish of Rose Ann and Patricia, is that the two strands of the Shaw family acknowledge each other in a spirit of respect and reconciliation, so that the entire Shaw family tree may finally be completed as all inclusive.

### **1.8 Introducing the Black Branch of the Shaw Family Tree**

In this section, I introduce members of the Black branch of the Shaw family tree. In referring to Sally Morgan's work *My Place*, author Stan Grant agrees with her claim that, "we meet ourselves in the past" (Grant, 2002: 56). Through my research, I have endeavoured to deepen existing connections between our Shaw ancestors and their descendants. Like Morgan and Grant, we are also meeting ourselves through our past, because as Muecke reminds us, "The myths of the dead tell us where we come from, who we are and how we behave towards each other" (1997: 227). No longer physically present, our ancestors continue to shape the lives of successive generations.

Information on our Aboriginal ancestors has been provided largely by government files and church records. Once assembled, this information provides brief glimpses into the lives of our great grandparents Mary Lee and William Shaw<sup>65</sup>, our grandparents Victoria Blurton and George Shaw, their children Ruby, Margaret, Lily, Janie, and Billy. Because I have had to rely heavily on impersonal records, it has not always been possible for me to go beyond a more formal level. In researching the lives of our grandfather and our mother, however, there are times when I have been able to identify feelings of anger and frustration

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<sup>64</sup> I say this while also acknowledging the many and varied possible reasons why certain individuals may appear as apathetic, disinterested, or simply in denial, towards their Aboriginal heritage.

<sup>65</sup> Information on Mary Lee and William Shaw is limited. However, information that is more extensive is available in relation to others mentioned in this section.

from the tone of their letters to the *Department for Native Affairs*<sup>66</sup>. This has allowed me to get in touch with the person behind the document to some extent. I imagine that such feelings grew out of the imposed subservient life-style, combined with the frustration of having to be continually answerable to the Department for every detail of their lives, and in the final analysis, being rendered powerless. Their stories provide the ground in which the seeds of vulnerability have been sown.



**3. The *dwert* (Nyoongar for 'dingo') is the Nyoongar Shaw family totem**

### **1.9 Chapter Summaries**

Chapter Two of this thesis discusses vulnerability and trauma as it exists within Aboriginal communities. I discuss the etymology of the term, describing it as ‘an affliction of the powerless’. I argue that past legislation and racist treatment by authorities have rendered Aboriginal powerless. I refer to suicide as the extreme end of the spectrum of despair for communities whose Culture has been damaged, had their families destroyed, and had personal autonomy taken from them, so they no longer had access to their Aboriginal heritage. I refer specifically to Aboriginal youth and suicide to show the inter-generational aspect of past policies on Aboriginal people. I use Maslow’s ‘Hierarchy of Needs’ as a yardstick to show how human development has been sabotaged for many Aboriginal people.

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<sup>66</sup> Haebich also refers to George Shaw’s letters to the Department (1988: 17-19).

This chapter draws on five specific sources to substantiate my argument, including statements made by a previous Governor General, two former Prime Ministers, the *Bringing Them Home Report*, and the *Royal Commission into Aboriginal Deaths in Custody*.

In Chapter Three, I document my research of the ancestral history of our Shaw Aboriginal family by drawing on information recorded in government files, church archives, and selected texts. From these sources, I document certain events relating to the lives of our Aboriginal great-grandmother, Mary Ann Chuberan and her application for the aged pension, our Aboriginal great-grandfather (in law) Frederick John Blurton and the selling of his land. In Chapter Four, I continue this ancestral research by discussing several family members. These stories demonstrate the extent of governmental control over their lives, and show how, through the loss of personal autonomy, many Aboriginal people have become vulnerable. At the same time, these stories demonstrate the resilience of their untiring efforts to counteract such control.

In Chapter Five, I describe the employment history of our mother by identifying the various locations throughout the state of Western Australia where she was assigned to work by the *Department of Native Affairs*<sup>67</sup>. I do this to exemplify how governmental control over her life rendered her vulnerable through ongoing disempowerment and dispossession. While this Department made it physically impossible for her to care for her children, it then accused her of neglecting us. Such Departmental actions give expression to the underlying thinking of the time, namely Social Darwinism that asserts people are subject to evolutionary distinction.

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<sup>67</sup> In the course of 1936, the *Native Administration Bill* was passed. This led to the renaming of the Department as the *Department of Native Affairs* and the Chief Protector became known as the Commissioner of Native Affairs (Haebich: 1988: 345).

In Chapter Six, I provide information from recorded interviews with my two brothers, Charlie and Peter Shaw. I weave them into my literary tapestry, allowing their stories to expand on the ancestral stories, which make up the first part of this work. Yet, it is more than this. Firstly, these stories are of “the little lives that never make the pages of history” (Grant: 2002: 13)<sup>68</sup>. Secondly, they show how the vulnerability of Aboriginal people became inter-generational. Finally, they contain a therapeutic element, by contributing to repairing the damage caused through the fragmentation of our family by government intervention spanning four generations.

In Chapter Seven, I describe how I was removed from my family, who was involved, and what childhood was like for me. I do this to illustrate the relationship between childhood and vulnerability. I then go on to describe the adolescent period of my life, to further illustrate the source of my vulnerability in later adult life.

In Chapter Eight, I argue that I was raised to be vulnerable. I do this to provide the childhood backdrop to outcomes in later adult life. I rely on Erik H. Erikson’s theory of psychosocial development to support my claim. I draw on Judith Herman’s work *Trauma and Recovery – The aftermath of violence – from domestic abuse to political terror* (1997) to further explain the trauma as leading to predictable psychological harm. I also draw on the findings of Toni Buti, whose work was prepared for the Aboriginal Legal Service (WA), and in turn submitted to the *Bringing Them Home Report*.

In Chapter Nine, I describe my childhood up to the age of fifteen, when I entered Saint Charles Seminary, to begin studying for the priesthood. I do this to explain how,

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<sup>68</sup> They provide an example of the difference between the Grand Narrative and the minor narrative, a concept referred to earlier in this chapter.

during these early years, the Catholic religion became the dominant feature in my life, and was to shape the direction of my future life. It has its origins at Saint Brigid's Church, where I trained to be an altar server, and at Saint Brigid's School where I attended kindergarten<sup>69</sup> and grade one, and later through the influence of a variety of Religious women, and the Christian Brothers. Father Halloran provided the encouragement I needed to take my first steps to study for the priesthood.

In this chapter, I provide an outline of the canonical composition of Religious Life and Priesthood within the Roman Catholic Church. By outlining the formal structure of the Church, I am able to contextualise that part of my story in which the weaving of the religious thread continued, and ways in which it influenced my life.

In Chapter Ten, I describe events in my adult life. In particular, I focus on my chronic alcoholism and my offending behaviour, which resulted in imprisonment. Describing the dysfunctionality in my adult life, necessarily involves a discussion of human sexuality, the Catholic priesthood, the law of celibacy, and my failure to adhere to the ideal of celibacy. I discuss the lack of attention given to sexuality in the formation of its clergy in the past, and the repercussions of this in my own life. I discuss the issue of sexual abuse by clergy, identifying sexual abuse as a sickness, and argue for the importance of both abusers and abused telling their stories, as part of an ongoing process of healing for all concerned.

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<sup>69</sup> 'Kindergarten' is now referred to as 'pre-primary school'.

## Chapter Two

### *Vulnerability within Aboriginal communities*

#### 2.1 Introduction

In this chapter, I argue Aboriginal people were rendered vulnerable through past treatment by authorities, and that vulnerability has threaded its way through successive generations, manifesting itself through alcoholism and other drug abuse, failed relationships, and domestic violence. Issues such as these often account for the high rate of incarceration of Aboriginal people. The Royal Commission into Aboriginal Deaths in Custody (RCIADIC 1987-1991)<sup>70</sup> acknowledged, for example, that Aboriginal people had differences from other groups in Australia: a higher rate of alcoholism, incarceration, and lower than average education. In relation to underlying issues in Western Australia, the Commission records:

Some of the major ‘underlying issues’ which form the foundation of Aboriginal powerlessness include: the ongoing marginalisation of Aboriginal matters in areas of government policy and practice at Federal, State, and Local levels; the power of vested interests which, often in association with government instrumentalities seek to deny Aboriginal aspirations; misinformed beliefs and practices toward Aboriginal people among many sectors of non-Aboriginal society, that impact on the day by day lives of Aboriginal people; the ongoing effect of missions and other forms of institutionalisation on the socio-cultural and economic lives of Aboriginal people ... Underlying issues are therefore those phenomena that arise in considering the legal, cultural, social and economic factors as

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<sup>70</sup> On 10 August 1987, Prime Minister Hawke announced the formation of a Royal Commission to investigate the causes of deaths of Aboriginal people while held in State and Territory gaols. The Royal Commission was established in response to a growing public concern that deaths in custody of Aboriginal people were too common and poorly explained. The Governor-General issued the Letters Patent formally establishing the Commission on 16 October 1987. The States and the Northern Territory issued similar Letters Patent. The Commission examined all deaths in custody in each State and Territory, which occurred between 1 January 1980 and 31 May 1989, and the actions taken in respect of each death. The Commission’s terms of reference enabled it to take account of social, cultural and legal factors, which may have had a bearing on the deaths under investigation (<http://www.naa.gov.au> Accessed: 20 February 2011).

they occur independent of the other society or through their inter-relatedness to it (<http://www.austlii.edu.au> Accessed: 20 February 2011).

Misinformed beliefs and practices in the past have impacted severely on the self-actualisation and human development of Aboriginal people. I use Abraham M. Maslow's model of 'Hierarchy of human needs' to explain how Aboriginal peoples' self-actualisation and fulfillment have been violated through the legacy of colonialism, which underpin the issues identified by the Commission, and have resulted in vulnerability.

I use the term vulnerability to mean 'woundedness', and illustrate ways Aboriginal people have been wounded by also drawing from the *Bringing Them Home* Report (1997)<sup>71</sup>. This Report refers to, "the trauma of forcible separation" (1997: 212). The Report links the experience of trauma to that of, "profound disadvantages ... including exclusion and control, racism and poverty which would have acted as severe stresses compounding grief and trauma" (1997: 214).

## **2.2 Vulnerability and trauma**

In this section, I introduce the concepts of vulnerability and trauma, by providing an account of the etymology of these terms. I then explain and demonstrate how these experiences have influenced the lives of many Aboriginal people.

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<sup>71</sup> *Bringing Them Home Report* examines the past. Its terms of reference were set down by Attorney- General Michael Lavarch in August 1995 when he asked the Human Rights and Equal Opportunity Commission to consult widely among the Australian people, in particular among Aboriginal and Torres Strait Islander peoples. The Attorney-General asked the Commission to trace past laws, practices and policies, that resulted in the separation of Indigenous children from their families by "compulsion, duress or undue influence" *Bringing Them Home Report*: 1997, "Terms of Reference". See also "The Inquiry": 3, and "Scope of the Inquiry": 5, in the Report.



In the course of completing this work, I underwent heart surgery, which resulted in a complication persisting for nearly a year. The wound left from the surgery refused to heal, leaving medical authorities baffled. Eventually, a nuclear bone scan, arranged by the Infectious Disease clinicians at Royal Perth Hospital, revealed I had an infection, identified as Golden Staph<sup>72</sup>. The infection and slow recovery left me vulnerable. I was deprived of the physical and emotional strength to cope with the demands of everyday life. Any person deprived of the necessary physical or emotional strength to cope with the demands of life for an extended period is rendered vulnerable. Anyone placed in an untenable situation, without the necessary support, is vulnerable.

‘Vulnerable’ comes from the Latin *vulnerare*, which means ‘to wound’<sup>73</sup>. Fundamentally, to be vulnerable means to be physically or emotionally wounded. Woundedness and vulnerability are inextricably linked. In his discussion on the concept of ‘trauma’, Brian McCoy<sup>74</sup> reminds us that the Greek word for ‘trauma’ also means ‘wound’, and can be traced back to the writings of such Greek historians as Herodotus around 500BC (2008: 14). At this time, the word referred to the physical wound a soldier might receive in battle. Later, in the nineteenth century, a wider understanding of the concept was used. McCoy acknowledges Aboriginal researchers who have used the concept of trauma to

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<sup>72</sup> ‘Golden Staph’ (*Staphylococcus aureus*) is a type of bacterium that can cause a range of infections, from mild to severe. It can be fatal. Antibiotic-resistant strains of golden staph have evolved in the 1970s, and have troubled hospitals world-wide with persistent infections ever since (<http://www.healthinsite.gov.au> Accessed: 29 August 2009).

<sup>73</sup> <http://merriam-webster.com/dictionary> Accessed: 8 August 2009.

<sup>74</sup> Brian F. McCoy, SJ is a member of the National Health and Medical Research Council (NHMRC). NHMRC is Australia’s peak body for supporting health and medical research and for developing health advice for the Australian community, health professionals and governments. It also provides advice on ethical behaviour in health care and in the conduct of health and medical research (<http://www.nhmrc.gov.au> Accessed: 16<sup>th</sup> September 2009). Brian is a Post-Doctoral Fellow for Aboriginal and Torres Strait Islander Health at the Australian Research Centre in Sex, Health and Society, La Trobe University. He discusses the concept of ‘trauma’ in his work *Holding Men: Kanyirninpa and the Health of Aboriginal Men* (2008: 14, 79).

describe Aboriginal experiences<sup>75</sup>. Theories around ‘trauma’, this author claims, have provided helpful constructs to explain the effects of colonial experiences (McCoy: 2008: 14).

In her work, *Trauma and Recovery* (1992), Judith Lewis Herman<sup>76</sup> describes ‘trauma’ as “an affliction of the powerless” (33). Referring to the *Comprehensive Textbook of Psychiatry*, Herman states that psychological trauma occurs when an overwhelming force renders a victim helpless. The common denominator of psychological trauma is a feeling of, “intense fear, helplessness, loss of control, and the threat of annihilation” (33). According to Herman, traumatic events:

... call into question basic human relationships. They breach the attachments of family, friendship, love and community. They shatter the construction of the self that is formed and sustained in relation to others. They undermine the belief systems that give meaning to human experience. They violate the victim’s faith in a natural or divine order and cast the victim into a state of existential crisis ... Traumatic events destroy the victim’s fundamental assumptions about the safety of the world, the positive value of self, and the meaningful order of creation (Herman: 1992: 51).

Overwhelming life experiences force victims to confront their own fragility at a deep existential level, and their vulnerability is glaringly exposed. When the post-colonisation lives of Aboriginal people are examined closely, as this thesis does, it clearly emerges that helplessness and loss of personal autonomy characterise their stories. They are indeed an example of a people who have been afflicted with powerlessness.

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<sup>75</sup> Some examples include, Dudgeon and Pickett: 2000: 83 and Atkinson: 2002: 146.

<sup>76</sup> Judith Lewis Herman is a psychiatrist, researcher, teacher and author, who has focused on the understanding and treatment of incest and traumatic stress. She is Professor of clinical psychiatry at Harvard University Medical School and Director of Training in the Victims of Violence Program in the Department of Psychiatry at the Cambridge Health Alliance in Cambridge, Massachusetts, and a founding member of the Women’s Mental Health Collective. In 2003, she was named a Distinguished Fellow of the American Psychiatric Association.

The 'wounded hope' within Aboriginal communities that McCoy writes about is a practical application of Herman's view on trauma. In an article published in the Jesuit publication *Eureka Street*<sup>77</sup>, for example, McCoy tells of a young Aboriginal man known to him, who committed suicide in a remote desert community, one day after the funeral of another community member who had suicided. McCoy explains:

When our young end up in prison, on drugs, lost, confused and even die, we feel the pain of lives suddenly cut short. We experience a wounding of hope, a realisation that the life and energy of those presently young will never be transformed into the knowledge and wisdom of elders. These deaths strike at the heart. They prevent what might be. They threaten the possibility of enjoying a future built upon the past (*Eureka Street*, July 6 2009).

For McCoy, the human aspiration of advancement and improvement in the lives of young Aboriginal people is cut short with each imprisonment, each addiction, and suicide. Each of these issues continues to amplify the 'wounded hope' of Aboriginal people.

Death in Aboriginal communities and families is so common that Fridays are set aside for funerals. This is the case, for example, at Kulbardi (Aboriginal Centre for Studies at Murdoch University in Perth), as it is in similar institutions. This aspect of Aboriginal life indicates the frequency of loss that families' experience, and it speaks of a communal trauma. Jean Boladerus makes the point that funerals in general, and of the young in particular, are symbolic of a community continuously in grief, a wounded community. At the extreme end of the death spectrum is suicide.

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<sup>77</sup> Jesuit Communications, Melbourne publishes *Eureka Street* daily on line at <http://www.eurekastreet.com.au>

### 2.3 Suicide in Aboriginal communities

In this section, I discuss the nature of suicides within an Aboriginal context. I argue that suicide among Aboriginal youth needs to be understood within the historical context of colonisation, ongoing racism, chronic unemployment, general impoverishment of body and spirit, lack of parenting skills, sexual abuse, alcohol and other drug abuse.

Suicide represents the extreme end of the spectrum of Aboriginal vulnerability. Part of that vulnerability lies in relation to a wounded hope that all too often culminates in despair. Like most issues within Aboriginal communities, suicide often needs to be understood differently to suicides within the wider society. The *Royal Commission into Aboriginal Deaths in Custody* (RCIADIC) (1987) states, for example that, “The self-destructive behaviour of Aboriginal people cannot be analysed in terms of ‘mental disorders’ but must be understood in the context of historical colonial relations”<sup>78</sup>. Commissioner Johnston, in his submission to the *National Report of Royal Commission into Aboriginal Deaths in Custody* (1987 - 1991) states:

If the Aboriginal child begins to deny his Aboriginality a very troubled life lays ahead for him. This fact is most often seen in the lives of people who were taken away from their Aboriginal families when still young and brought up by non-Aboriginal people (Johnston: 1991: 137).

Nowhere else is Johnston’s claim more evident than in the findings to emerge from the RCIADIC. The RCIADIC attempted to uncover social, legal and economic factors to explain the disproportionate number of Aboriginal people in custody across Australia

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<sup>78</sup> Tatz 2005, Introduction: xii. Tatz, acknowledges Coulthard (1999: 3) for this quote taken from the *Royal Commission*.

(Russell, 2000: 1-2). The effects of government intervention into the lives of Aboriginal people have resulted in the destruction of their self-esteem and self-worth.

For Tatz, any study of the sensitive issue of suicide should include such factors as 'Westernisation', the legacy of colonisation, enduring racism, chronic unemployment, impoverishment of body and soul. Tatz also identifies current issues such as the lack of parenting skills, sexual abuse, alcohol and other drug abuse, as outcomes stemming from past treatment of Aboriginal people (Tatz: 2005: vii).

Both the findings of the RCIADIC and Tatz maintain that historical factors must be embraced when developing strategies for stopping suicide among Australian Aborigines. Indeed, I insist that we embrace these same factors when considering any issues resulting from a colonial legacy that has resulted in rendering Aboriginal people distinctively vulnerable in relation to other areas of their lives. In his discussion on the issue of suicide among Australian Aboriginal people, Colin Tatz argues:

My sustained contention is that most, if not all, indigenous [sic] suicides has no basis in mental health, in depression, let alone in gender or biochemistry (Tatz: 2005: vii).

While the full extent of psychological and emotional damage to Aboriginal people as the result of dispossession, disempowerment, forced removal and institutionalisation is difficult to assess, it nonetheless provides an explanation for their vulnerability as a people. Many young Aboriginal people are rendered vulnerable by virtue of their heritage, which links them through their parents and grandparents, thus rendering vulnerability an intergenerational issue. It is now generally accepted that forced separation and forced relocation have had devastating effects on subsequent generations.

*The Telethon Institute for Child Health Research* (1990)<sup>79</sup> includes Aboriginal Child Health within its scope of research. It argues that, “Even before they’re born, Aboriginal children face greater hurdles than most other Australian children” (<http://www.ichr.uwa.edu.au>). The Telethon Institute acknowledges difficult times for Aboriginal youth can include sadness and depression within a family, excessive use of alcohol and other drugs, no money, trouble with family relationships, sexual or emotional abuse, loss of a loved one, problems with the law, and family members themselves either being suicidal or engaging in some form of self harm (<http://www.ichr.uwa.edu.au>). When people have a negative sense of themselves and life in general, they often act out negative feelings by taking risks such as dangerous driving. By drinking more alcohol or using more drugs, some think that this will help them cope with the pain they are feeling. Sadly, some feel they do not want to go on living. *The Institute* terms this as ‘suicidal ideation’. When someone experiences suicidal ideation they are thinking that things will never improve, they have no control over their lives; they feel lonely, afraid and not wanted by anyone; they feel worthless, guilty, and no good. Often they have trouble expressing their feelings and this can result in outbursts of uncontrolled anger, even in a busy central city street. People who are thinking about suicide often feel very alone. They may feel that nobody can help them, or that they are beyond help. They may see suicide as an answer to their problems, and may not be able to see any other way of dealing with their situation.

According to the Institute, suicidal behaviour is the outcome of a complex range of personal, social and situational issues affecting an individual. It is generally related to feelings of severe depression, to a sense of failure, hopelessness and helplessness that links

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<sup>79</sup> The Telethon Institute for Child Health Research has as its Founding Director Professor Fiona Stanley, who was named Australian of the Year in 2003. She is a vocal advocate for the needs of children and their families.

with feelings of alienation or disconnection. In attempting to understand youth suicide, *The Institute* identifies a complex range of personal, social and situational issues influencing individuals.

Among the issues affecting some Aboriginal youth is that of sexuality. According to Gerard Sullivan<sup>80</sup>, recent reports suggest nearly thirty percent of same-sex attracted Aboriginal youths attempt suicide. In a lecture entitled ‘Sexual Orientation, Marginalisation and Youth Suicide’<sup>81</sup>, Sullivan focuses on the cultural context of suicide, asking how it comes to be constructed as an option for young people experiencing harassment due to sexual orientation. He describes how he gathered related information through semi-structured interviews, conducted with forty-one young people, teachers, youth counselors, parents and community leaders from a variety of suburbs, on the edge of an Australian city. Scenarios were designed to focus and stimulate discussion related to topical or key issues in the literature on Aboriginal youth suicide in Australia.

The *Western Australia Suicide Prevention Strategy 2009-2013* recognises, “Conflicting societal norms, victimisation, marginalisation and the fear of discrimination can lead to increased levels of psychological distress, self-harm, anxiety, depression and suicide”<sup>82</sup>. For Aboriginal youth, this can add another layer to an already existing level of discrimination by the wider community.

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<sup>80</sup> Gerard Sullivan is an Academic at the University of Sydney. His research interests include Comparative Sociology, Utilisation of Health, Education and Social Services. He has published extensively. Among his publications are several works addressing Gay and Lesbian issues, in Australia and Asia (<http://www2.edfac.usyd.edu.au> Accessed: 1 November 2009).

<sup>81</sup> <http://www.wasvisual.com/lecture> Accessed: 1 November 2009.

<sup>82</sup> <http://www.mentalhealth.wa.gov.au> Accessed March 3 2011.

## 2.4 Maslow's Hierarchy of Needs

In this section, I explain Abraham Maslow's<sup>83</sup> model of self actualisation and human development. This psychological tool is useful for understanding that when any of Maslow's 'hierarchy of needs' is not met, then full human development is sabotaged, as I argue has been the case with Aboriginal people, through colonisation and subsequent racist attitudes among the wider community.

In his approach to psychological health, Abraham Maslow uses the term 'self actualisation', stressing the development or "full-humanness of the biologically based nature of man, and therefore normative for the whole species" (Preface to the First Edition: 1968: vi). For Maslow, full humanness is defined by the degree to which the definition of the concept 'human' is fulfilled. Self-actualisation is at the top of Maslow's hierarchy of human needs.

In examining vulnerability among Aboriginal people, I use Maslow's theory of motivation based on his 'hierarchy of needs'. These needs are made up of five levels (each building on the one below): Physiological needs: Biological necessities such as food, water, and oxygen. These needs are the strongest because a person would die if they were not met. Psychological and Safety needs: People feel unsafe during emergencies, or times of disorder such as rioting. Children more commonly do not have this need met when they feel afraid. Social needs for Love and Belonging: The need to escape loneliness and alienation, to give and receive love, and a sense of belonging. Esteem needs: The need to feel valuable:

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<sup>83</sup> The late Abraham H. Maslow is described as "an energetic and articulate scholar" (Cover of *Toward a Psychology of Being* (Second Edition), Van Nostrand Reinhold, 1968: N.Y). He was once Chairman of the Department of Psychology at Brandeis University in 1951, and taught for fourteen years at Brooklyn College. He was President of the American Psychological Association in 1967-8. Among his many publications are, *Eupsychian Management*, *Psychology of Science*, and *Religion, Values and Peak Experiences*.



to have self-respect, and respect for others. If a person does not fulfill their esteem needs, they feel inferior, weak, helpless, and worthless. Self-actualisation needs: Maslow taught that a very small group of people reaches a level called self-actualisation, where all of their needs are met. Maslow's theory of motivation is arranged in order of importance, that is, he argues you must fulfill the lower needs before achieving a higher one. If you achieve something near the top first, happiness will not last; but if you climb up through the other levels, you will achieve greater satisfaction with life.<sup>84</sup>

Societies develop when people reach higher levels in Maslow's 'hierarchy of needs'. Once people meet their physiological needs and they feel safe, they begin to develop a culture and an advanced civilisation. If, however, on the other hand a person is deprived of any one of these fundamental needs, full human development is sabotaged. As a result of the legacy of colonialism, I argue that Aboriginal societies have been violated through past Australian legislation, combined with social attitudes. These have contributed to Aboriginal people being unable to be a fulfilled people in Maslow's terms, so they have been left vulnerable.

Because of the importance of relationships (such as family, and extended family) in Aboriginal life, I acknowledge authors such as Motschnig-Pitrik and Barrett-Lennard, who point out in their discussions on self actualisation that Maslow fails to extend this to relationships:

Maslow (1970: 198) viewed self-actualization ... as the pinnacle expression of growth in humans. In the hierarchy of needs he posited, belongingness and love fall only in the midrange (Journal of Humanistic Psychology, October 2009, 375).

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<sup>84</sup> Maslow: 1968: 3. See also, <http://www.mrdowling.com> Accessed: 7 December 2009.

These authors build on Maslow's concept of self actualisation<sup>85</sup> by arguing for co-actualisation. Co-actualisation includes development of the self, but not without the enhancement of relationship with others:

... actualisation in humans tends particularly to be promoted by being in well-functioning relationships with others. Each such fruitful relationship has a self-developing quality as well as being enhancing to the relationship partners. The process is referred to as co-actualisation (2009: 74).

Maslow's 'self' is seen by these authors to be formed through interaction with the environment, more specifically, with the relationship with others:

... the self is symbolized through relationships that influence its forming configurations; relationships imbued with life and dynamically developing. For example, the close parent will have his or her "voice" in the self-structure of a child or the empathetically understanding responses to a friend will gradually enable more self-empathy (2009: 379).

An essential underlying element to the concept of co-actualisation is found in the personal philosophy of Martin Buber. For Buber the I-Thou relation is a direct interpersonal relation, which is not mediated by any intervening system of ideas. No objects of thought intervene between I and Thou. I-Thou is a direct unmediated relation of subject-to-subject. Thus, I-Thou is not a means to some object or goal, but is an ultimate relation involving the whole being of each subject<sup>86</sup>.

The veracity of this construct, put forward by Motschnig-Pitrik and Barrett-Lennard, supported by Buber, resonates strongly within Aboriginal communities. For me it extends an understanding of the profound effects of violating, families and communities through the disruption of family relationships.

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<sup>85</sup> Editorial Note: The interchange of the letter 'z' to the letter 's' corresponds to either the American/English ways of spelling.

<sup>86</sup> Martin Buber, *I and Thou*, 1958: 26.

## 2.5 Aboriginal people as a people violated

In this section, I foreground five key admissions to past violations to Aboriginal societies: including the words of a Governor-General, two Prime Ministers, a *National Inquiry into Indigenous child removal* based on past government policies, and the RCIADIC. These people all acknowledge the ‘legacy of colonialism’, Tatz identified. In August 1996, the then Governor-General, Sir William Deane, gave the inaugural Lingiari Lecture at the Council for Aboriginal Reconciliation in Canberra in which he stated:

True reconciliation between the Australian nation and its Indigenous peoples is not achievable in the absence of acknowledgement by the nation of the wrongfulness of the past dispossession, oppression and degradation of the Aboriginal peoples. That is not to say that individual Australians who had no part in what was done in the past should feel or acknowledge personal guilt. It is simply to assert our identity as a nation and the basic fact that national shame, as well as national pride, can and should exist in relation to past acts and omissions, at least when done or made in the name of the community or with the authority of government<sup>87</sup>.

Sir William made it clear that the present low self-esteem and poor quality of life of many Indigenous people flow from the events of the past: “The dispossession, the destruction of hunting fields and the devastation of lives were all related. The new diseases, the alcohol and the new pressures of living were all introduced”<sup>88</sup>.

On 10<sup>th</sup> December 1992, at the launch of the International Year for the World’s Indigenous People, Prime Minister Paul Keating made the following statement at Redfern Park<sup>89</sup>, an inner Sydney suburb with a historically large Aboriginal population:

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<sup>87</sup> *Bringing Them Home Report*: 1997: 3.

<sup>88</sup> *Bringing Them Home Report*: 1997: 3

<sup>89</sup> Keating’s statement is commonly referred to as ‘the Redfern Speech’. The full text of his speech can be found at <http://www.nswalp.com> Accessed: 15 August 2009.

... it was us who did the dispossessing. We took the traditional lands and smashed the traditional way of life ... it was our ignorance and our prejudice. And our failure to imagine these things being done to us (<http://www.nswalp.com> Accessed: 15<sup>th</sup> August 2009).

On February 13<sup>th</sup> 2008, Prime Minister Kevin Rudd made an historic apology in the Australian Parliament to all Australian Aboriginal and Torres Strait Islander peoples. In that statement, he reflected on the past mistreatment of Australian Aboriginal and Torres Strait Islander peoples:

Today ... we reflect on their mistreatment. We reflect in particular on the mistreatment of those who were stolen generations – this blemished chapter in our nation's history. We apologise for the laws and policies of successive Parliaments and governments that have inflicted profound grief, suffering and loss on these our fellow Australians. We apologise especially for the removal of Aboriginal and Torres Strait Islander children from their families, their communities and their country. For the pain, suffering and hurt of these stolen generations, their descendants and for their families left behind, we say sorry. To the mothers and the fathers, the brothers and the sisters, for the breaking up of families and communities, we say sorry<sup>90</sup>.

These public statements by two former prime ministers, and a former Governor General, represent important historical advancements in the official attitude toward Aboriginal people.

My ancestral research on the Aboriginal branch of the Shaw family reveals how Aboriginal people in the past have been rendered vulnerable by the factors identified by Tatz, Deane, Keating, Rudd, substantiated by the *Bringing Them Home Report* (1997), and the RCIADIC. These stories explain how the same factors that account for the high number of Aboriginal suicides, also account for issues such as alcoholism and abuse that have emerged within Australian Aboriginal communities. I explicate my experience of being

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90 The full text of the apology speech may be found on <http://www.pm.gov.au> Accessed: 15 August 2009).

raised to be vulnerable which manifested in my lack of suitable emotional formation, setting me up for failure in dealing with relationships in adult life<sup>91</sup>.

## **2.6 Aboriginal Deaths in Custody and the Stolen Generations**

In this section, I argue that the incarcerations of Aboriginal people for domestic violence, and sexual abuse are indicators of a people violated. I do this to show the connection between past efforts to disempower and dispossess them, and how these efforts have created many of the negative issues currently facing Aboriginal people. That the effects of government intervention in the past continue to have a profound negative impact on the self-esteem and self-worth of Aboriginal people in the present is seen in the number of Aboriginal imprisonments. Links have been made between imprisonment of Aboriginal people, and those manipulated by past removal policies (Robinson: 1969).

Patrick Dodson, in his capacity as a Commissioner for the *Royal Commission into Aboriginal Deaths in Custody* (1991) was asked by the Federal government to investigate the backgrounds and histories of twenty-nine Aboriginal men and three Aboriginal women who died in custody in Western Australia from 1980 – 1989. Dodson found that the historical and political dispossession of Aboriginal people were key issues. He concluded that dispossession and disempowerment was the root cause of their impoverishment and alienation (Keefe: 2003: 294). *The Commission* acknowledged this:

To place the present circumstances of Aboriginal people into a context, it is necessary to provide some information about the past. In particular to examine: the consequences of a series of ethnocentrically designed policies and legislation which have been applied to Aboriginal people throughout the often violent colonisation of Western Australia; the way in which Aboriginal people have attempted to resist colonisation; and the

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<sup>91</sup> I acknowledge that my life experience shapes the way I explore and explain vulnerability.

ongoing processes of colonisation. The legacy of particular policies and legislation have certainly left their impact ... In sum, an understanding of how colonisation has been consolidated is intrinsic to an appreciation of Aboriginal matters in this State, and especially to the task of considering those people who have died both inside and outside custodial settings, and of their families.

([http://www.austlii.edu.au/au/other/IndigLRes/rciadic/regional/wa\\_underlying/17.html](http://www.austlii.edu.au/au/other/IndigLRes/rciadic/regional/wa_underlying/17.html) Accessed: 2 March 2011).

As a result of a colonial legacy, Australian Aboriginal people have been rendered among the most vulnerable in our society. Beresford and Omaji<sup>92</sup> identify the source of their vulnerability:

For many, the experience [of removal] shaped the contours of their emotional and psychological lives in ways which have been difficult to resolve and overcome (1996: 33).

These same authors point out that there is widespread agreement among Aboriginal people, and those who work with them, "... that a significant number of Aboriginal youth who are in trouble with the law come from a family background in which the parents and/or grandparents were forcibly removed from their families as children" (1996: 33-34). The RCIADIC (1991) found, for example, that family disruption affected every case that it heard. Institutionalisation also featured in a number of cases<sup>93</sup>. The relationship between family breakdown and Aboriginal juvenile crime, for example, must be seen within a social

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<sup>92</sup> Quentin Beresford has had a diverse career in teaching, the public service and journalism. He has lectured in politics and public policy at Edith Cowen University since 1993. He is author of a number of books and journal articles dealing with aspects of social policy and electoral politics. Paul Omaji is a Nigerian criminologist and legal sociologist, and has lectured in Nigerian and Australian universities. He has focused, in particular, on Aboriginal people and the law, discrimination and human rights, and reconciliation with Indigenous populations. Both Beresford and Omaji are also co-authors of *Rites of Passage: Aboriginal Youth, Crime and Justice* (1996).

<sup>93</sup> Cf. especially, the *Regional Report of Inquiry into Underlying Issues in Western Australia*, Vol. 1 and 2, P. Dodson, Commissioner: 2000.

environment which has been shaped largely by forced institutionalisation and Cultural dispossession (Rutter and Madge: 1976: 5).

The *Bringing Them Home Report* provides a comprehensive list of legislations relating to Aboriginal and Torres Strait Islander people, State by State, territory by territory. An examination of this legislation reveals the elements, which go to make up the “historical colonial relations”, referred to by the RCIADIC. From the information provided by the *Bringing Them Home Report*, it is seen that the earliest introduction of child removal through legislation is recorded in the Victorian *Aboriginal Protection Act* 1869<sup>94</sup>. The Central Board for the Protection of Aborigines (Victoria) had been advocating such powers since 1860<sup>95</sup>. The passage of this Act gave Victoria a wide range of powers over Aboriginal persons, including the right to forcibly remove children. In 1886, Victoria’s parliament passed what became known as the *Half-Caste Act* and started to remove Aboriginal people of mixed descent (known as ‘half-castes’) from the Aboriginal stations and reserves, and forced them to assimilate into white society. Thus began what has become known as the ‘Stolen Generations’. In 1871, this Board controlled where people could live and work, what they could do, and whom they could meet or marry. By 1950, other states and territories had adopted similar policies and legislation.<sup>96</sup>

Of particular relevance to this research is the legislation framed within the state of Western Australia, specifically the *Aborigines Act* of 1905 (*Bringing Them Home Report*, Appendix 5: 631), which established the position of the Chief Protector as the legal guardian of ‘every aboriginal and half-caste child’ to the age of sixteen years (*Bringing*

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<sup>94</sup> Referred to in the *Bringing Them Home Report*: 611.

<sup>95</sup> A British Government Royal Commission in 1837 inquired into the conditions of Aboriginal people in Australia and recommended that a protectorate system should be established (<http://www.hreoc.gov.au> Accessed: 10 October 2009).

<sup>96</sup> See *Bringing Them Home Report*, appendices listing and interpretation of state acts regarding Aboriginal and Torres Strait Islander people: 599f.

*Them Home Report*: 630). Replacing Henry Prinsep<sup>97</sup>, in 1915 A.O. Neville was appointed Chief Protector in Western Australia and held that post until 1940. Haebich describes this period of administration as being characterised by:

... an aggressive leadership ... during which there was a ... strict implementation of the 1905 *Aborigines Act* and its segregation policies ... together with an ... unprecedented government interference in the lives of Aboriginal people ... (Haebich: 1992: 153).

As legal guardian of Aboriginal children in Western Australia, Chief Protector Neville had the authority to take children away from their parents. The key issue for Neville was skin colour. As a result, his focus was on ‘half-caste’ children, and his model was a biological one of ‘absorption’ or ‘assimilation’, argued in the language of genetics (*Bringing Them Home Report*: 108). Some of these children were raised in institutions, such as Sister Kate’s Children Home, Moore River Settlement, New Norcia Mission, and Roelands Native Farm. The removal of the right of those Aboriginal people who had children of mixed descent to care for their own children is a crucial factor in the relationship between Aboriginal deaths in custody and past policies.

Further removal of rights from Aboriginal people resulting from the *1905 Act*, included the loss of control over their personal property, the loss of choice over where they lived, and the conditions under which they could be employed. All monetary wages, for example, went directly to the Chief Protector, who ‘saved’ them (Haebich, 1983: 115). Any Aborigine who wanted to spend the money they earned was required to write to the Chief Protector stating what the money was for. If the Protector approved, and if there were

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<sup>97</sup> Henry Prinsep believed that Aboriginal children of mixed descent who grew up with their Aboriginal families would become “vagrants and outcasts” and “not only a disgrace, but a menace to society” (Haebich: 1988: 570).



sufficient funds available after service fees were deducted, a welfare officer would draw the money out and buy the clothes or goods requested (Personal File, Shaw: 1933). This would have contributed to a further loss of self-esteem, a loss of sense of self-worth, and of personal autonomy.

With the official introduction of the *Policy of Assimilation*<sup>98</sup> fifty-one years after the 1905 Act, Aboriginal people experienced further setbacks, through continuing attempts to denigrate their lifestyles and Culture. As acknowledged in *The Bringing Them Home* report, the assimilation policy meant that within a “climate of assimilation” the worth of Aboriginal lifestyles continued to be denigrated:

... in the view of all Australian governments ... all aborigines [sic] and part-aborigines [sic] are expected eventually to attain the same manner of living as other Australians and to live as members of a single Australian community ...<sup>99</sup>

As a result of this policy:

Children were equally vulnerable to forced removal from their parents by police and welfare agencies. It issued a harsh ultimatum to Aboriginal families: meet the idealised standards of white society ... or risk having your children taken away and made wards of the state (Beresford and Omaji: 1996: 34).

Vulnerability among those institutionalised, was further heightened when attempts were made to face life outside the institution, deprived of a sense of personal autonomy. Many, for example, suddenly found themselves overwhelmed by feelings of insecurity and fear.

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<sup>98</sup> The idea of assimilation had been around since the 1930s. It became official government policy in Australia when states agreed on a policy of assimilation at the 1961 *Native Welfare Conference* in Canberra. Both Aboriginal people and migrants were expected to give up their own heritage and adopt the culture of the majority, which was predominately British.

<sup>99</sup> Decisions of Commonwealth and State Ministers at the Native Welfare Conference, Canberra, 26 – 27 January 1961 (<http://www.aitsis.gov.au> Accessed: 22 August 2009).

In confidential evidence (265) provided to the *Bringing Them Home Report*, one interviewee said:

We had been brought up on the surrogate mother of the institution and that whole lifestyle, which did not prepare us at all for any type of family life or life whereby in the future we would be surviving or fending for ourselves; and the survival skills that we needed in order to survive in the mainstream community, because those survival skills are certainly not skills that you learn in a major institution. And the whole family value system wasn't there and put in place (1997: 187).

Not knowing who they were, or where they had come from, and with no preparation for life outside the institution, many turned to alcohol and other drugs (*Aboriginal and Torres Islander Commission* 1992<sup>100</sup>). according to 'Alcoholics Anonymous', excessive use of alcohol, is a symptom of deeper personal issues (*The Big Book*: 1986: 64). The *Bringing Them Home Report* devotes a chapter to some of the underlying issues present in the lives of those affected by past policies. Not having the necessary skills to cope is one such issue. Parenthood is difficult for a person who was removed from their family, and did not have their parents as role models. Such people are usually emotionally disadvantaged, resulting in guilt for failing as parents themselves, thereby rendering them especially vulnerable. Their children, in turn, are directly affected as a result, and share in their parent's vulnerability and woundedness accordingly.

The protectionist policies (1934-1972) were deemed a political and sociological failure, and so the government changed its strategy toward Aboriginal children. Some

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<sup>100</sup> The Aboriginal and Torres Strait Islander Commission (ATSIC) 1990-2005 was the Australian Government body through which Aboriginal Australians and Torres Strait Islanders were formally involved in the processes of government affecting their lives. A number of Indigenous programs and organizations fell under the umbrella of ATSIC.

children were then adopted or fostered out to white families, usually based on the claim of ‘neglect’. According to the *Bringing Them Home Report*:

The definition of neglect was ... interpreted in a climate of assimilation which denigrated the worth of Aboriginal lifestyles. Aboriginal families who had moved to towns and cities following the closure of some missions and settlements and had to re-establish themselves were particularly vulnerable to action under the 1947 Act<sup>101</sup> (112).

In my own case, ‘neglect’ was a key factor in authorities declaring me a ward of the state. I was placed with an elderly white woman, aged fifty-nine years. Eventually, the court granted her request to adopt me, despite her inability to exercise appropriate parenting skills, and her lack of financial means to provide the material needs required for the raising of a child. Added to these, was the absence of a father, or siblings.

Just as Tatz calls for a “separate Aboriginal suicidology” (Introduction: xiv), I argue, there is a need for a separate response to the profound vulnerability of Aboriginal people created by extensive disadvantage. To understand Aboriginal issues in general, and vulnerability in particular, one needs first to understand Aboriginal and non-Aboriginal history, that is, colonialism. This history is told in the stories of those who have been victims of that history, the “lost causes and losers, the Australians who not all rejoice but sing a sadder anthem improvised from broken keys and too many blue notes, stories of little lives that in many cases will never make the pages of history” (Grant: 2002: 13).

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<sup>101</sup> The 1947 Act, more correctly known as the *Child Welfare Act*, states, “The secretary of the department to have the care, management and control of wards. Where a court finds a child to be ‘destitute’ or ‘neglected’, it may commit the child to the care of the department; send him/her to an institution; or release him/her on probation. In committing any child to an institution, a court is bound to have regard to the future welfare of such child. A child committed to the care of the department may be detained in an institution; boarded out, apprenticed or placed at service with a “suitable person”; or placed in the custody of a “suitable person” (*Bringing Them Home Report*: 633).

In this chapter, I have argued for the vulnerability of Aboriginal people as having its source within legislation. Carmel Bird<sup>102</sup> encapsulates the source of vulnerability for many Aboriginal people in graphic form. In March 1988, Bird edited a book entitled *The Stolen Children – Their Stories*. As explained by Bird<sup>103</sup>, the cover of her book contains a photograph of six little girls representing the stolen children. It is a haunting picture; an image of tender vulnerability, already damaged, about to be further violated and sacrificed. This picture evokes a deep sense of pity and sadness. The child in the centre is marked by a cross, drawn in ink, at about the place where her navel would be, as if to signify the ruthless severing of the umbilicus that connects her to her mother, and her community. The person who made the cross has written underneath the picture: “I like the little girl in the centre of group, but if taken by anyone else, the others would do, as long as they are strong”.

These little girls were in Darwin, and the photograph of the children appeared in a newspaper in the 1930s, because the Minister for the Interior was appealing for people in Melbourne and Sydney to take the children in, to “rescue them from becoming outcasts”. This was part of a long-term government plan to assimilate Indigenous people into the dominant white community by removing them at as young an age as possible, preferably at birth, cutting them off from their own place, language, and customs, thereby bleaching Aboriginality from Australian society.

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<sup>102</sup> Carmel Bird, a writer in residence at La Trobe University in Melbourne, is the author of two novels, *Cherry Ripe* (1985) and *The Bluebird Cafe* (1990), and is editor of four collections of short stories. She has also written a guide for writers, *Dear Writer* (1988).

<sup>103</sup> In an explanation of the cover by the author <http://www.carmelbird.com> Accessed: 15<sup>th</sup> August 2009, and in the “Introduction” to her work.

the stolen children  
their stories

Stories from the Sisters in the Shroud of Beauty and the children of  
Loughbeg and Tyrone held in British custody from 1941-1946

EDITED BY CHARLIE BERRY

the stolen children  
their stories

Stories from the Slaves in the House of Beauty from the authors of  
"Lullaby" and "The Red House" by Toni Morrison

EDITED BY CHARLES BURT

the stolen children  
their stories

Stories from the Slaves in the House of Beauty from the authors of  
"Lullaby" and "The Red House" by Toni Morrison

EDITED BY CHARLES BURT



4: The stolen children.

## Chapter Three

### *Ancestral History: Mary Ann Chuberan and Frederick John Blurton*

#### 3.1 Introduction

In this chapter, I provide an account of the ancestral history of our Shaw Aboriginal family by drawing on information recorded in government files, church archives, and selected texts. From these sources, I document events relating to the lives of our Aboriginal great-grandmother, Mary Ann Chuberan, and her application for the aged pension; our Aboriginal great-grandfather (in law) Frederick John Blurton and the selling of his land. These stories demonstrate the extent of governmental control over their lives, and show how through the loss of personal autonomy they become vulnerable. While government control accounts for the gradual dispossession of one generation, subsequent generations experienced the effects of this, as shown through their stories.

Western Australia Legislation in relation to Aboriginal people began in the 1840s, with an Act to prevent Aboriginal girls being enticed away from employment, without the consent of either the Protector, or their employers (*Bringing Them Home*: 1997, Appendix 5: 629)<sup>104</sup>. Among the particular legislation relating to the lives of the Shaw ancestors are the *Aborigines Protection Act* (1886), *Aborigines Act* (1897), and the *Aborigines Act* (1905). The *Aborigines Protection Act* (1886) established the Aborigines' Protection Board<sup>105</sup>, and its functions included submitting proposals to the Governor relating to the care, custody, or education of children, as well as exercising a general supervision and care

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<sup>104</sup> This was later repealed by the *1905 Act*.

<sup>105</sup> *The Aborigines Act* (1897) later abolished the Aborigines Protection Board, and the Aborigines Department was established (*Bringing Them Home*: 631).

over all matters relating to the welfare of Aboriginal people (*Bringing Them Home*, Appendix 5: 629). The *Aborigines Act* (1905) established the position of Chief Protector who became the legal guardian of “every aboriginal and half-caste child” to the age of sixteen (*Bringing Them Home*: 1997: 631). Haebich describes this Act as establishing:

Administrative structure and controls over Aboriginal employment, sexual contact, and powers to remove and institutionalise ‘mixed race’ children ... Aboriginal women had to have permission from the Chief Protector of Aborigines to marry non-Aboriginal men, or those men faced being charged with cohabitation (2000: 187).

The Native Administration Act (1936), also known as the *Aborigines Amendment Act*), changed the title of Chief Protector to Commissioner of Native Affairs. The *Bringing Them Home Report* (1997: 632) explains how the control of the ‘native’<sup>106</sup> provided the Commissioner with extended powers. Haebich provides an example of this: “The Chief Protector of Aborigines was the legal guardian of children up to the age of sixteen ... was extended to twenty-one in 1936” (2000: 187).

Vulnerability among Aboriginal people has its roots in legislation, and because of its extensive power over Aboriginal lives in the past, has lasting effects into the present. The following accounts, and those that follow, provide testimony to this claim.

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<sup>106</sup> “Native” refers to any person of “full blood” descended from the original inhabitants of Australia; “any person of less than full blood, excepting a quadroon under 21, who does not associate with ‘full bloods’; a quadroon over 21 and a person of less than ‘quadroon’ blood who was born prior to 31 December 1936” (*Bringing Them Home*: 1997: 632).

### 3.2 Mary Ann Chuberan: her application for the old age pension

In this section, I provide an account of Mary Ann Chuberan's attempts to qualify for the Aged Pension. I do this because it demonstrates an existing discrimination by the authorities in their dealings with Aboriginal people. Despite this, Mary Ann emerges as a person of strength, overcoming the repeated attempts to prevent her from accessing the Age Pension.

Mary Ann Chuberan (or Choomerang) was the daughter of Jilerang<sup>107</sup>, a full blood Nyoongar woman, and Dick Smith (a white man). There is no record to show if these two people were married. Mary Ann was born at Toodyay, near Northam<sup>108</sup>. She married Frederick John Blurton on 26<sup>th</sup> January 1880 and they occupied a cottage at New Norcia<sup>109</sup>. Later they moved to a farm at Wyening<sup>110</sup>, eventually purchasing a property at Quairading<sup>111</sup>. In all, they had seventeen children<sup>112</sup>. One can only speculate on the financial challenges that this would have presented<sup>113</sup>. It is safe to assume that any level of financial independence would have eluded them in the latter part of their lives, as the

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<sup>107</sup> 'Jilerang', our Aboriginal great – grandmother, was Mary Ann's mother's Aboriginal name. Government records refer to her as Mary Chilgaren.

<sup>108</sup> Northam is situated 96 kms from Perth, and is surrounded by the Avon Valley. Toodyay is located 85 km from Perth. Toodyay is a corruption of the local Aboriginal word 'duigee' which supposedly meant 'place of plenty'. This name related to the richness and fertility of the area and the reliability of the Avon River (<http://www.regionalwa.com.au/Towns/Toodyay.htm> Accessed: 26 April 2007).

<sup>109</sup> New Norcia is located 132 kms north of Perth and belongs to the Shire of Victoria Plains. A photograph of the original cottages at New Norcia may be found in Haebich (1988: 18), and in the following chapter. A more recent and detailed treatment of the mission cottages has been compiled by Ingrid van Bremen and is found in 'New Norcia Studies', September 2004, Number 12: 8-13.

<sup>110</sup> Wyening is located south east of New Norcia, and forms part of the Victoria Plains Shire.

<sup>111</sup> Quairading is located 163 km east of Perth. The name 'Quairading' is a corruption of the Aboriginal word 'kwirr' or 'kwarr', meaning small bush kangaroo. The local Aboriginal people regarded it as "the home of the bush kangaroo" (Bindon & Chadwick: 2002: 333).

<sup>112</sup> Among their children was Victoria (b 1888), who later married George Shaw (b 1882), both of New Norcia. They obtained a block of land at Catabody (about a thirty minute drive north of New Norcia, near the formerly owned Benedictine property of Calingiri), where George was born. Victoria and George had six children (Tilbrook: 1983: 73).

<sup>113</sup> These were challenging times for most people. The Swan River colony had been in existence for less than fifty years.



following police report from Constable Mitchell to Police Commissioner Houlahan indicates:

I respectfully report having made enquiries re within. I interviewed Mrs. Jack Blurton, the woman who was operated on in York Hospital, at their camp, 14 miles from Quairading. Mrs. Blurton is an elderly woman and says that she was suffering with her neck for a long time before being operated upon. She states that her husband has not been in regular work and they are not in a position to pay the cost of the operation. (Signed R. Mitchell, P.C. 1238, 24 May 1926, *Department of Native Affairs*, Personal File: 274/26).

Mary Ann made her first application to receive the aged pension in July 1931. It would take until November 1937, six years later, before the matter was finally resolved. Following is an account of the reasons why it took so long. In addition to the length of time taken over her application, it also involved a range of people, including several police officers, a local postmaster, the Abbot of New Norcia, and family members. Her application for the old age pension appears to have presented the respective government Departments with a dilemma. The seemingly insurmountable problem revolved around the question, “Is she possessed of a preponderance of aboriginal blood?”<sup>114</sup>

#### **Application for Aged Pension**

The above-named is a claimant for a pension, and I have to request that you will be so good as to inform me as follows:

Is she possessed of a preponderance of aboriginal blood? (Emphasis mine)

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<sup>114</sup> Passionately committed to ‘Aboriginality and Identity’, Eve Mumewa D. Fesl has written extensively on the ways English language is used as a political tool against Aboriginal people. She argues, for example, that ‘part’, ‘quarter’, ‘half-caste’, ‘full blood’ and even the contemporary term ‘descent’ are all attempts to divide and rule Aboriginal people ([http://home.vicnet.net.au/~womenweb/sources/Adopted%20Stories/Eve\\_Fesl.htm](http://home.vicnet.net.au/~womenweb/sources/Adopted%20Stories/Eve_Fesl.htm) Accessed: 28 May 2007).

Is she deemed to be an aboriginal within the meaning of the Aborigines Act?  
Is her mode of living that of an aboriginal?  
Did she receive rations from the Aborigines Department during the past 12 months?  
Is she living on an Aboriginal station or Reserve?  
Signed J Collopy Registrar 24/12/37<sup>115</sup>

#### 4. Application for Aged Pension

Mary Ann's application was formally submitted to the Registrar of Pensions on 6 July 1931. The Registrar first needed to establish whether she was in receipt of any assistance in the form of rations from the *Aborigines Department*, as this would cancel out any entitlement to an aged pension. This initiated a series of inquiries, beginning with the Local Protector at Quairading, Constable Orton. He in turn contacted the Chief Protector, informing him of the Registrar's enquiry:

I have received a Confidential Report Form from the Registrar, Pensions Office, concerning Mrs. Mary Ann Blurton.

The Registrar desires to ascertain whether the above-named claimant is in receipt of rations or any other assistance from this Department, or has at any time received any assistance from this Department. Please advise.

(Signed Constable Orton, Local Protector, Quairading, 16 July 1931, *Department of Native Affairs*, Personal File: 274/26).

This letter received a reply from The Chief Protector informing the Registrar of Pensions that Mary Ann had not been in receipt of rations or any other form of assistance from the *Department of Native Affairs* (12 August 1931, Personal File: 274/26). The Deputy Commissioner for Invalid and Old Age Pensions, not satisfied with the Chief Protector's

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<sup>115</sup> Citations presented within enclosed lines indicate a document.

response, requested more information before he could make his final decision. The Postmaster at Quairading was then contacted and asked for his opinion. He provided the requested information, which in turn prompted the Deputy Commissioner to write again to the *Department of Native Affairs*:

I have a document from the Postmaster at Quairading in which he shows that he is of the opinion that the claimant has a preponderance of aboriginal blood.

If you have any record of this woman I should be glad to learn whether she is deemed to have a preponderance of aboriginal blood or otherwise.

(Signed O. G. Dutton, Deputy Commissioner of Pensions, 21 August 1931, *Department of Native Affairs*, Personal File: 274/26).

4 September 1931 saw the bureaucratic deliberations over whether or not Mary Ann had a 'preponderance of aboriginal blood' continue. Again, the Chief Protector contacted the Local Protector of Quairading, Constable Orton, and asked him to make further enquiries about her. By 26 September 1931, the Chief Protector informed the Registrar of Pensions accordingly:

... I have now to advise you that from information received this woman is considered to have a preponderance of aboriginal blood (Department of Native Affairs, Personal File: 274/26).

By November 1932 however, Chief Protector Neville decided, in view of the existing evidence surrounding Mary Ann's Aboriginality, nothing further could be done on her behalf:

When on my recent round, I endeavoured to locate Mrs. Blurton and requested several of those who knew her, but could get no further information from others on the matter of her having a preponderance of

white blood. Constable Orton, the Protector at Quairading, is satisfied that she has a preponderance of aboriginal blood, and therefore, I propose to take no further action in the matter at present.

(Signed A.O. Neville, Chief Protector of Aborigines, Department of Native Affairs, Personal File: 274/26).

There the matter would have remained, if it were not for Mary Ann writing again to Mr.

Neville in July of the following year:

... I am longing to see you about I have been told about my Pension I have applied [sic] for it a long time now and I only want your Desion [sic] from you I consider I am entitle for it.

(Signed Mary Ann Blurton, Quairading, 6 July 1933, Department of Native Affairs, Personal File: 274/26).

This request from Mary Ann prompted Mr. Neville to again contact the Local Protector at Quairading, Constable A. Orton:

You will remember that during the latter part of last year we discussed the question of Mrs. Mary Ann Blurton's parentage in respect to an application made by the old lady for an Old Age Pension some twelve months previously.

I have now received a further communication from Mrs. Blurton (signed Mrs. F. J. Blurton, Quairading) asking me about her pension but I understand this was turned down by the Pension Authorities on the information supplied by this Department to the effect that Mrs. Blurton was considered to possess a preponderance of aboriginal blood.

As the matter has been revived and Mrs. Blurton is evidently in Quairading, I should be glad if you would now endeavour to ascertain further particulars as to her parentage and advise me.

(Signed A.O. Neville, Chief Protector, 13 July 1933, Department of Native Affairs, Personal File: 274/26).

Four weeks later, Mary Ann received the following reply from Mr. Neville:

In reference to your letter ... asking about your application for a pension, enquiries have been made in this respect, and it is now ascertained that you are not entitled to such a pension.

(Signed, A.O. Neville, Chief Protector, 26 August 1933, Department of Native Affairs, Personal File: 274/26).

To her credit, Mary Ann was not ready to give up. She set about enlisting the support of certain key people within the local community. She found, for example, a sympathetic ear, in Mr. Keith McKee, a teacher at the Mawson<sup>116</sup> school. He agreed to write to Mr. Neville on her behalf, in an attempt to secure the old age pension for her. The Chief Protector explained that her previous claims were unsuccessful because “she possessed a preponderance of Aboriginal blood”. Mary Ann then enlisted the support of the Anglican Rector of Toodyay, Rev. F. G. O’Halloran. He also made an attempt on her behalf, but again without any success:

Since your call I have looked up the file in the matter of the pension for Mrs. Blurton and find that the pension was refused because this woman is deemed to have a preponderance of aboriginal blood. I took special pains to find out whether such was the case, and was definitely assured that it was so. In the circumstances we could do no more. (Signed A.O. Neville, Chief Protector, 5 November 1936<sup>117</sup>, Department of Native Affairs, Personal File: 274/26).

By March 1937, members of the Blurton family also approached the Chief Protector to see if they could get him to continue to intervene on Mary Ann’s behalf. In July of that same

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<sup>116</sup> Mawson is located within the Shire of Quairading (located 163 kms east of Perth).

<sup>117</sup> It is in this same year that the *1905 Aborigines Act* underwent amendment through the enactment of *The Native Administration Act*. This legislation conferred greater powers on the *Commissioner of Native Affairs* (previously known as the Chief Protector). He became, for example, the legal guardian of every Aboriginal child in Western Australia, under the age of 21 years.

year, John Blurton died. Because he did receive an old age pension, they managed to get by, but without him she had no income. Obtaining financial assistance became even more urgent.

As the records show, on the 9 November 1937, Mr. Neville visited Mary Ann while in the Quairading area. His visit is significant insofar as it provides an example of the extent of his commitment in dealing with Mary Ann's request. As the following reveals, he had not given up on Mary Ann's application. Indeed, he had finally produced a solution to the dilemma facing the Registrar of Pensions over her "preponderance of Aboriginal blood". He turned his enquiry to Mary Ann's parentage, explaining to her that the matter of the pension could not be finalised because it had been impossible to establish who her parents were, and therefore her exact age.

In the possible belief that her word did not hold the level of credibility that the word of a white person might, Mary Ann explained to Mr. Neville that, "She was well known to old Mrs. Viveash, who lived near the old Show Grounds in Northam. Mrs. Viveash knew her as Mary Ann and she also knew her full blood mother, Mary" (*Department of Native Affairs*, Personal File 274/26). She went on to describe to Mr. Neville, how "Father Martelli took her away from Northam when she was only fourteen years of age and placed her at New Norcia" (*Department of Native Affairs*, Personal File: 274/26). Mr. Neville made a note of this disclosure together with a reminder to get in touch with Mrs. Viveash and the authorities at New Norcia, on his return to Perth. He left Mary Ann with the renewed hope, that if these people knew something about her parentage and age, then she might be successful in receiving a pension.

True to his word, Mr. Neville proceeded to contact Inspector Donaldson (the local Protector at Northam), and the Abbot at New Norcia. To Inspector Donaldson, he wrote:

For some time now the question of securing an Old Age Pension for Mrs. Mary Ann Blurton of Mawson, in the Quairading District, has been under consideration. It is understood her husband, who died recently, was in receipt of a Pension.

The difficulty appears to be to establish the age of this woman. When I was recently at Mawson I questioned Mrs. Blurton to see whether she could supply me with any relevant particulars which would assist. Amongst other things, Mrs. Blurton said that she was well known to old Mrs. Viveash, the mother of Lionel Viveash, when she was a little girl, that Mrs Viveash had lived near the old Show Grounds at Northam ... I would be greatly obliged if Mr. Lionel Viveash could be interviewed in order to endeavour to establish these facts, if at all possible. Personally, I feel that Mrs. Blurton should have the Pension and obviously she is of an age to warrant it being paid to her but the Pension Authorities require something more definite than that.

(Signed A.O. Neville, Chief Protector, 17 November 1937, *Department of Native Affairs*, Personal File: 274/26).

To the Abbot at New Norcia, he wrote:

I am seeking to establish the age of Mrs. Mary Ann Blurton with a view to securing an Old Age Pension on her behalf ... Seeing that Mrs. Blurton must be some seventy years of age now, that would be between fifty and sixty years ago. I should be greatly obliged if you would have your records searched with a view to, if possible, establishing more accurately Mrs. Blurton's present age.

(Signed A.O.Neville, Chief Protector, 17 November 1939, Department of Native Affairs, Personal File: 274/26).

Information provided to Mr. Neville by the Abbot of New Norcia advised that Mary Ann Chuberan married Frederick John Blurton at New Norcia on the 26 of January 1880, and

that she was baptised soon after her arrival at New Norcia in 1876. She was fourteen years of age at the time. The date of her baptism is recorded as 27 May 1877.

Meanwhile, the Acting District Police Officer at Northam, Sergeant J. Cooney, had successfully located Mrs. Viveash who agreed to an interview with one of his Constables.

In the course of this interview, Mrs. Viveash informed the Constable that:

... she remembers very clearly the native girl Mary Ann, and said that it would have been in the early eighties that Mary Ann was taken to New Norcia, thus making her age about 68 or 70 years.

Mrs Viveash went on to say that:

Mrs. Blurton had a sister named Sarah and another named Emily, but Emily died when quite young. Mary Ann was also known by her Native name of “Choomerang” and her Mother by the name of “Jilerang”.

(Signed J.J. Cooney, Acting District Police Officer, Northam, 23 November 1937, Department of Native Affairs, Personal File: 274/26).

Despite this information, the Registrar of Pensions remained unconvinced. Again, he asked Mr. Neville:

Is she possessed of a preponderance of aboriginal blood?

Is she deemed to be an aboriginal within the meaning of the Aborigines Act?

Is her mode of living that of an aboriginal?

Did she receive rations from the Aborigines Department during the past twelve months?

Is she living on an Aboriginal Station or Reserve?<sup>118</sup>

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<sup>118</sup> The same questions as those asked on the original Application Form.



Again, Mr. Neville supplied the Registrar with the following advice:

No, she is a person of half-blood.

She is deemed to be a native within the meaning of the Native Administration Act.

She lives after the manner of the better-class person of half-blood apart from other natives except her immediate relatives in a substantial camp.

She did not receive any rations from this Department during the past twelve months (Signed AON, Commissioner of Native Affairs, 29 December 1937, Personal File: 274/26).

Armed with the information provided by Mrs. Viveash and the Abbot of New Norcia, on 17

December 1937 Mr. Neville was able to further inform the Registrar:

In reference to the application of Mary Ann Blurton for an old age pension ... I now desire to state that I recently had the opportunity of personally seeing Mary Ann Blurton in the Quairading District and I am satisfied she is a half-blood, which means that she is not possessed of a preponderance of native blood.

I questioned Mrs. Blurton in regard to her age. She could not tell me how old she was, but I judged her to be about 70 years. To permit of future investigation in this regard I spoke to her in reference to her childhood and from information she was able to give me I made further inquiries of the Inspector of Police at Northam and of the Lord Abbot at New Norcia.

I attach copies of the replies received and from these you will see, particularly in the one from the Lord Abbot, that Mary Ann Blurton is a woman of about 74 years of age.

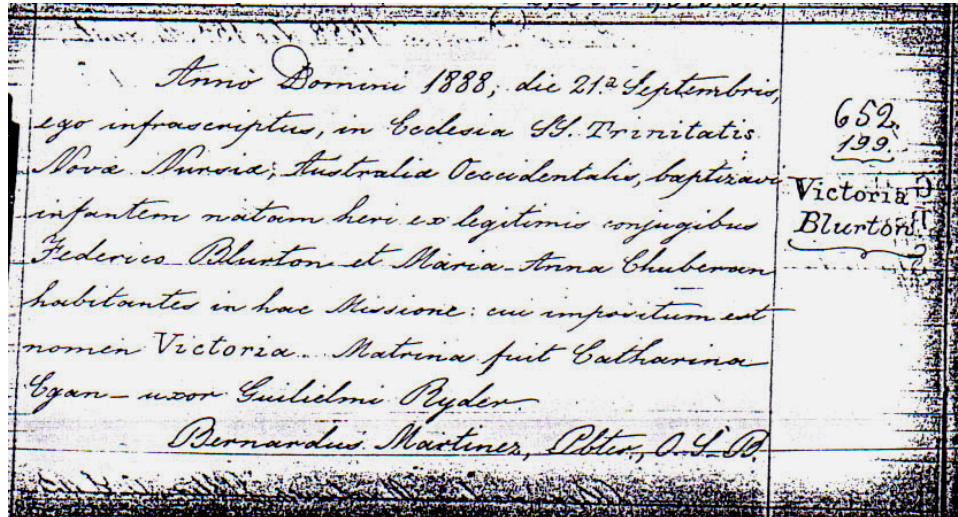
You will notice that the Lord Abbot states that the name of Mary Ann Blurton's father was unknown when she was baptised. However, I learned from Mrs. Blurton herself that he was Dick Smith, a white man and I have no reason to doubt her statement.

In view of the foregoing and the further information contained in the attached reports, I shall be pleased if you will now give favourable consideration to Mary Ann Blurton's request for a pension.

(Signed A.O. Neville, 17 December 1937, *Department of Native Affairs*, Personal File: 274/26).

Finally, on the 10<sup>th</sup> March 1938, due to the persistent efforts of both Mary Ann and Mr. Neville, the Commonwealth government granted Mary Ann her old age pension of forty shillings per fortnight. By receiving this pension, she forfeited the right to any other assistance from the *Department of Native Affairs*, ipso facto. Mary Ann died ten years later on the 22 May 1948.

Our great-grandmother, Joomerang, remains for us an example of self-determination in the face of overwhelming bureaucratic resistance. The main area impacted upon, however, is identity. As I will show, the effects of bureaucratic involvement in the lives of her descendants have a continuing preoccupation with identity.



5. Amongst the New Norcia Archives is the record of Victoria Blurton's baptism certificate, which refers to her parents Mary Ann Chuberaan and Frederick (John) Blurton.

In the following section, I relate certain events in the life of our Aboriginal great-grandfather, Frederick John Blurton. I will show how he strove for independence and

security within a society that was not always kindly disposed to the advancement of Aboriginal people. Like his wife, he remained strong in his stance against opposition posed by members of the wider community.

### **3.3 Frederick John Blurton and the selling of his land**

In this section, I provide an account of Frederick John Blurton's attempt to sell his land. I do this because his story illustrates the difficulties encountered by Aboriginal people when attempting to participate in business activity within the wider community.

Frederick (or John as he was more widely known) was born in 1863. His parents were George and Anna Blurton. George Blurton was a convict expirée<sup>119</sup> who had several children to Anna Blurton before marrying an unnamed immigrant woman. Among their children was Frederick John<sup>120</sup>. An exceptional sportsperson, John Blurton had the prestigious honour of being a team member of the Second and Third New Norcia Cricket teams, and Henry Lefroy's Cricket team of 1879 known as *The Invincibles*, famous for playing in England. He also played with the New Norcia *Wanderers* football team<sup>121</sup>.

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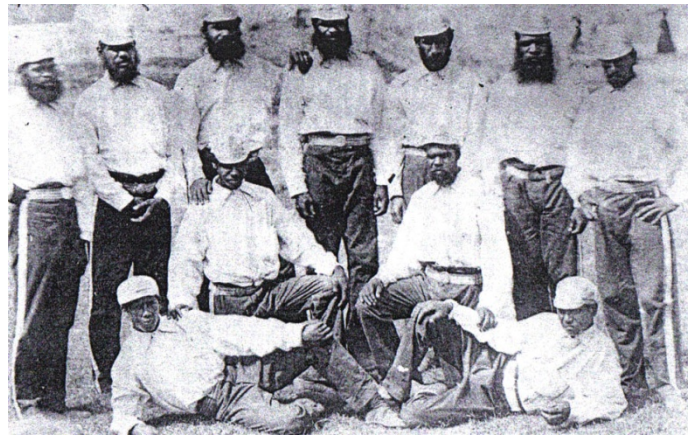
<sup>119</sup> On 4 June 2001, on behalf of the Shaw/Collard families, I accepted a 'Certificate of Honour' from the *Fremantle Port Authority*, acknowledging our connection to George Blurton.

<sup>120</sup> He is also identified as 'Jack'. The interchangeability of Aboriginal names seems to be a common practice at the time. As Stan Grant points out, "In the easy flow of Aboriginal families names were not important ..." (Grant: 2002: 22). In her treatment on 'Institutional Life', Haebich explains how the tracing of family was made difficult by "... the Department's practice of arbitrarily assigning names to many of the children on their arrival at the [Moore River] settlement; many grew up never knowing their family name" (1988: 208).

<sup>121</sup> Photographic records of these sporting teams are in the Battye Library, Perth (78095P, 78096P) and displayed in the New Norcia Museum. Ms. Bev Headland provided the photograph of *The Wanderers* Football Team.



6. Lefroy's Cricket Team 1879. John Blurton is in the front row seated<sup>122</sup>



7. Second New Norcia Cricket Team John Blurton is in the front row left<sup>123</sup>

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<sup>122</sup> Courtesy of Battye Library, Perth (326B/18).

<sup>123</sup> Courtesy of Battye Library (78096P).



**8. The Wanderers Football Team John Blurton is the tall player with his arms folded (centre row)<sup>124</sup>**

As with John's wife, Mary Ann, I have gained information on the life of our Aboriginal great-grandfather from government files<sup>125</sup>. My first encounter with him, however, was through reading Anna Haebich's *For Their Own Good*, in her treatment of 'Aborigines and Agricultural Development' (1988: 31-33). Haebich refers to his protests over the discriminatory treatment of black farmers by the government (1988: 31). John argued that while financial assistance to white farmers was generous by comparison, Aboriginal farmers had to go out and find additional work to financially sustain their farms<sup>126</sup>. As a result, the government often perceived Aboriginal people unsuitable as farmers. Their continuing need for assistance served only to strengthen this view. Along with numerous other Aboriginal people throughout the state, there were occasions when John needed to seek Neville's assistance<sup>127</sup>.

<sup>124</sup> Courtesy of the New Norcia Museum.

<sup>125</sup> *Department of Native Affairs*, 'Half-caste: Mary Ann Blurton and family', Personal File: 274/26.

<sup>126</sup> Acknowledgement must be made of those white farmers who had similar economic struggles, as is evidenced by Mr. Dobson, the prospective buyer of John Blurton's land. Mr. Dobson had a large family to support, and had to contend also with added medical expenses. Haebich also recognises those white farmers who were also forced to supplement their incomes by either doing seasonal work for more prosperous farmers, or by working on railways and roads (Haebich: 1988: 13).

<sup>127</sup> "He [Neville] would become accustomed to the personal entreaties of individual Aborigines demanding and pleading their particular cause." (Jacobs: 1990: 80)

Originally from New Norcia, John was among those to be given land by Bishop Salvado<sup>128</sup>. This was part of Salvado's missionary vision in which Aborigines would develop a sense of independence for themselves and their families<sup>129</sup>. John had decided to sell one hundred and sixty acres of his land to Mr. A. J. Dobson of Calingiri<sup>130</sup> for 100 pounds. While Mr. Dobson made an initial part payment, he was clearly experiencing hardships of his own, and was unable to make the final payment of 21 pounds. Turning to Mr. Neville for support in this matter, John wrote:

I am just writing these few lines letting you know that I John Blurton snr has been in the York Hospital for ten days under medical attendance, and I have to pay the sum of three pounds and fifteen shillings at seven shillings and sixpence per day.

So I would like you collect for me the sum of 21 pounds from Mr. A. J. Dobson at Catabody. I sold him a block of land 160 acres and he has paid seventy-nine pounds and there is twenty-one pounds due yet, and I would like you to try and get it for me. I have written to him a little while ago and he never answer my letter when I sold that property for one pound an acre and he took the mortgage over sixty pounds. That money would be very handy for me now at present. Twenty-one pounds is due, amount I have given him plenty of time.

(Signed John Blurton snr, 25 August 1927, *Department of Native Affairs*, Personal File: 274/26).

Characteristically, Mr. Neville proceeded (albeit mistakenly) to contact the Officer in Charge at the Toodyay Police Station, with a view to instigating an enquiry into the matter:

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<sup>128</sup> Bishop Salvado (1814 – 1900) with fellow Benedictine, Dom Joseph Serra, founded the New Norcia Mission in 1846, spending the remainder of his life making it one of the most progressive and successful missions in Australian history. An excellent review of his life and times is *Lord Abbot of the Wilderness* (Russo: 1980). Russo describes the extent of his involvement with the local Nyoongar people, which included camping out with them, and learning their language. He was, in my view, a missionary ahead of his time.

<sup>129</sup> Bishop Salvado died in 1900. His successor, Bishop Torres, chose to focus his missionary efforts to the north of the state. Meanwhile, he channeled New Norcia's energies into the education of white children (Haebich: 1988: 16-17). The buildings, which housed these children who came from places throughout the wheatbelt region, still stand, but are no longer used for education purposes. They are still identified as St. Ildephonsus College (formerly for boys) and St. Gertrude's College (formerly for girls).

<sup>130</sup> A small wheat belt town, 147kms north-east of Perth.



I enclose herewith copy of a letter received from John Blurton, aboriginal, of Dangin<sup>131</sup>, and should be much obliged if you would cause inquiries to be made in the matter, with a view to securing the liquidation of the amount which Blurton says is owing to him by Mr. Dobson.

(Signed A. O. Neville, Chief Protector of Aborigines, 6 September 1927, *Department of Native Affairs*, Personal File: 274/26).

Because John resided in the Moora<sup>132</sup> police precinct, not the Toodyay precinct, Mr. Neville was required to refer the matter to the Moora police instead. Meanwhile, he consistently informed John of outcomes arising from efforts on his part to intervene in the matter at hand:

I have your letter of the 25<sup>th</sup> August, re Catabody. I am causing inquiries to be made, and will acquaint you with the result in due course.

(Signed A. O. Neville, Chief Protector of Aborigines, 6 September 1927, *Department of Native Affairs*, Personal File: 274/26).

As the following records show, Mr. Neville continued in his support of John by assuming the role of mediator between him and Mr. Dobson. This is indicative of the thoroughness with which he executed his responsibilities as Chief Protector. Eventually, the following report was submitted to the Chief Protector via the Chief Inspector's Office in Perth<sup>133</sup>:

I have to report that whilst on patrol I visited Dobson's property at Catabody which is 51 miles from Moora. I was unable to see Mr. Dobson as he was away from home but I interviewed Mrs. Dobson who informed me that she and her husband took over the block in May 1918 and admitted owing 21 pounds still but could not pay sooner owing to

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<sup>131</sup> Dangin lies to the west of the township of Quairading (See f/n 111).

<sup>132</sup> Moora is on the Moore River at the heart of the Midlands district, about 180km north of Perth. It was named after some sort of corruption of 'Maura', which was said to be the name local Aborigines gave to a well to the west of the town (<http://www.smh.com.au/news/Western-Australia/Moora> Accessed: 29 April 2007).

<sup>133</sup> This was the normal procedure in all matters pertaining to Aborigines.

sickness and they have a large family of young children. It would be impossible for them to pay amount before their harvest when they will endeavour to effect settlement.

(Signed S. J. Loxten, Constable, Moora Police Station, 16 October 1927, *Department of Native Affairs*, Personal File: 274/26).

As promised, Mr. Neville informed John accordingly:

In further reference to my letter of the 6<sup>th</sup>. ult. Regarding the sum of 21 pounds owing to you by Mr. A. J. Dobson of Catabody, I have now to inform you that as the result of enquiries into this matter I find that although it was impossible to interview Mr. Dobson, his wife stated that she and her husband took over the block in May 1918 and admitted owing 21 pounds still they had not yet been able to pay owing to sickness and having a large family of young children to support. It will, however, be impossible to pay this amount before their harvest when they will endeavour to effect settlement.

(Signed A. O. Neville, Chief Protector of Aborigines, 25 October 1926, *Department of Native Affairs*, Personal File: 274/26).

With unpaid medical bills of his own, John is compelled to turn again to Mr. Neville for support. On 25 January, the following year, he wrote:

I would be only glad if you would kindly collect it (the sum of 21 pounds) please by now I am need of it now because I have to pay for the York Horspitle [sic] attending for ten days at 7/6 per day and I have seen Dr. Ward at York and I will pay him some time in Febury[sic]. I have no money at present and I would like to pay him Yes Sir So I have given Mrs. Dobson of Catabody time enough to pay this little amount and it is been owing a long time.

(Signed J. Blurton, 25 January 1928, *Department of Native Affairs*, Personal File: 274/26).

With typical efficiency, Mr. Neville wrote to Mr. Dobson on John's behalf:



I have received a further letter from half-caste John Blurton of Dangin urging that I should endeavour to collect on his behalf what is owing to him by you, as he has several urgent expenses to meet.

I believe the latter to be the case and will be much obliged if you could see your way to remit at least portion of your indebtedness as soon as possible.

You may not be aware that under the Aborigines Act I have power to act on behalf of natives in such matters and I would,

therefore, esteem it a favor if you would enable me to satisfy Blurton at an early date.

(Signed A. O. Neville, Chief Protector of Aborigines, 9 February 1928, *Department of Native Affairs*, Personal File: 274/26).

Failing to receive an acknowledgement to this letter, the Chief Protector wrote a second letter to Mr. Dobson:

I should be glad to receive a reply to my letter of the 9<sup>th</sup> ult. In reference to your indebtedness to half-caste John Blurton of Dangin, at your earliest possible convenience.

(Signed A. O. Neville, 16 March 1928, *Department of Native Affairs*, Personal File: 274/26).

Mr. Dobson finally replied after a third letter from Mr. Neville. Understandably, the tone of Mr. Dobson's letter indicates displeasure over the growing pressure put upon him, especially in view of existing financial demands associated with caring for his large family:

Some time ago a constable under the aegis of your office visited me in connection with the affairs of one J. Blurton. Acting under the constables advice I supplemented his report with a note to you bearing upon this matter. It is this note I respectfully draw your attention as an answer to your present communications. Blurton visited here some time ago when matters were explained to him as to the state of my crops and finances – He fully realised the position. Knowing I had not failed to meet obligations with him or any of his kind. At the present time I am not as well off as he is. On the other hand: to have a constable dumped upon you

after a tedious journey at a hot time of the year (some 130 miles) gathering information which might easily have been obtained by the simple expediency of a note through the post offers room for protest. I have no feeling of hostility against Blurton or any of his kind – *remainder is indecipherable* (Emphasis mine).

(Signed John A. Dobson, 12 March 1928, *Department of Native Affairs*, Personal File: 274/26).

On the 21 April 1928 Mr. Neville replied to Mr. Dobson's letter, pointing out that he did not receive the "accompanying note":

... The note you speak of as having supplemented the constable's report was not received in this office, therefore the nature of its contents is not known to me.

Blurton first appealed to me in this matter in August, 1927. It was then that I asked the Toodyay Police for a report in accordance with the usual practice. The Police did not pay a special visit to your place as you seem to suppose, but made his call whilst on patrol of the district.

Blurton appealed to me again in January this year, and I wrote to you on the 9<sup>th</sup> February and addressed my letter "Catabody" but this letter was returned through the Dead Letter Office. It was sent again, via Toodyay, and you appear to have received it.

In my capacity as Chief Protector of Aborigines it is my duty to see that the aborigines [sic] receive fairplay, and since you appear to have promised to complete your payments on account of purchase of the farm soon after harvest, it was naturally expected that you would do so. I have no desire to unduly press you in this matter, but since your letter just received is the first communication from you which has reached this office, in spite of several letters which we have sent to you, it could only be concluded that you were paying little attention to the representations which I was making on Blurton's behalf.

(Signed A. O. Neville, Chief Protector of Aborigines, *Department of Native Affairs*, Personal File: 274/26).

Mr. Neville found it necessary to follow this letter up with three additional letters to Mr. Dobson: on the 29 May, the 2 July, and again on the 6 August. In the third letter, the normally courteous bureaucrat revealed a hint of a growing irritation:

... As this matter has now been held up for some months an immediate reply to this letter is requested (Personal File: 274/26).

Finally, on the 28 August Mr. Neville received the following response:

Further to your request – Re Blurton I beg to refer you to my previous notes on the matter, and hope to be able to pay Blurton something from the proceeds of my harvest. It is impossible before this – I explained matters to Blurton during his last visit here and he gave me to understand that I pay when I could. The sum is a small one between us and for the fact of crops failure would have been finalised long ago.

(Signed John A. Dobson, 20 August 1928, Department of Native Affairs, Personal File: 274/26).

The start of another year (1929) saw John writing again to Mr. Neville about the matter of payment for the sale of his land:

Just a few lines ... to the Department for the amount which is owin [sic] to me I ... to the Chiff [sic] of aborigines in 1927 and I got an answer from their saying that he would pay me after harvest that was 1928 and I haven't received any payment yet from him ... I am asking for that amount because my wife as been operation at York Horspitle [sic] and the Doctor wants paying. I haven't got the money and the amount to pay is 7 pounds 8 shillings and 6 pence for maintenance.

... I sold him a block of land and he is not payed [sic] up full what is owin [sic] is 21 pounds yet and I would like the Department to collect it for me if not I cannot pay any medical account unless I can get that amount which is owin [sic] to me.

(Signed John Blurton, Quairading, 1 January 1929, Department of Native Affairs, Personal File: 274/26).

In an office memo (10 January 1929), Mr. Neville recorded that the *Department of Aborigines* had paid all outstanding medical expenses to the York hospital, with a view to recouping the money from John when he could afford to pay. Meanwhile, Mr. Neville continued to act on John's behalf, attempting to stir Mr. Dobson into action:

I have received another letter from John Blurton of Quairading, urging me to collect from you the sum of 21 pounds still owing on his account. It does really seem to me as though the settlement ought to have been effected before this, and I should be greatly obliged if you could see your way clear to remit the amount to me as early as possible, or at least part of it. Blurton has certain accounts to pay, and this Department has also incurred expenditure on his account, so it will be necessary to send the money to me and not to Blurton in the first instance. (Signed A. O. Neville, Chief Protector of Aborigines, 11 January 1929, Department of Native Affairs, Personal File: 274/26).

By the 20 February 1929, Mr. Neville again sought a reply from Mr. Dobson. Mr. Dobson's request for John's address signals a basis for believing that some action on his part was imminent. By the 18 March of that same year, however, Mr. Neville was compelled to write to him again:

On the 11th January last I wrote you concerning an amount of 21 pounds still owing to John Blurton of Quairading and further on the 19th March supplied you with Blurton's address, but so far I have not received any reply to the former communication.

Please let me know if you are yet in a position to remit the amount owing on behalf of Blurton [sic].

(Signed A. O. Neville, Chief Protector of Aborigines, 18 April 1929, Department of Native Affairs, Personal File: 274/26).

On 11 May 1929, Mr. Dobson argued in defense:

... I am not financially in a position to remit at the present time the sum involved. Farmers hereabouts have had a lean season ... I gave Blurton a

square deal. The agricultural bank at the time was about to foreclose [sic]. As Blurton had paid little or nothing off a loan contracted to that body – rents had not been paid for years on the small block of land he owned. Neighbouring aborigine [sic] holdings had been forfeited – others had changed hands somewhat in the nature of a swindle. One block (Freehold) changed hands for a horse and sulky – another offered at 40 pounds. There were many other oddities ... However to receive the attention of your department – with the above in view. Blurton became somewhat feverish to part with his holding. I gave Blurton much more for his holding than what he asked and he made it quite clear that I was to pay in instalments [sic] when I was in a position to do so. Time was to be no object and because ... I have managed my obligations within the margin of a few pounds you state which would have been finalised this year had the seasons been good.

My wife explained in my absence the whole case to the constable you sent to investigate and which report you seem to have repudiated or ignored. I now feel I am being bullied to finalise an account I am quite unable to meet. I had intended to send a part of the sum owing when I asked for Blurton's address. A further collapse of the wheat market makes the proposition impossible for me however.

(Signed J. A. Dobson, 11 May 1929, Department of Native Affairs, Personal File: 274/26).

Equally defensively, Mr. Neville replied:

... I fail to see where you can consider that you are being bullied into payment of this account as I have only asked you to do your best to meet same at your earliest. You admit that the amount is due and it is only natural for Blurton to expect payment and, as I have already suggested, I am prepared to compromise and accept the amount by installments.

If, as you state, it is impossible for you to meet these obligations at present, I trust that you will do your best when the first opportunity presents itself.

(Signed A. O. Neville, Chief Protector of Aborigines, 10 June 1929, Department of Native Affairs, Personal File: 274/26).

On the 12 August, and again on the 18 October 1929, the Chief Protector continued his attempts at getting a satisfactory reply from Mr. Dobson. By November 4<sup>th</sup> of that same year, Mr. Dobson informed Mr. Neville that until 'his crop is off' he could not deal with the matter at hand. By the 14 November 1929, John wrote again to Mr. Neville<sup>134</sup>. Mr. Neville subsequently contacted the York Hospital to learn that existing accounts were outstanding. In subsequent letters to John, Mr. Neville revealed the depth of his commitment:

... I am not going to let matters rest, and whenever I am able to collect the money you will be at once notified.

(Signed A. O. Neville, Chief Protector of Aborigines, 23 November 1929, *Department of Native Affairs*, Personal File: 274/26).

Soon after this reassuring letter, Mr. Neville also offered John advice on how he might go about dealing with the outstanding medical bills at the York Hospital:

A little while ago you wrote me respecting your debt to the York Hospital, and Mr. Dobson's debt to you. I think the York Hospital might well wait until I can collect from Mr. Dobson the sum of 21 pounds which is owing to you. I wrote to Mr. Dobson recently, but he said that he could not pay until he gets the crop off. I shall keep him up to the mark.

I should like also, to remind you that I have paid on your wife's account certain fees to the York Hospital, which will be recouped as soon as I can collect from Dobson. I will write to you as soon as I hear definitely from this man.

(Signed A. O. Neville, Chief Protector of Aborigines, 3 December 1929, *Department of Native Affairs*, Personal File: 274/26).

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<sup>134</sup> Mr. Neville later wrote the following memo on the side of John's letter: "(1) I cannot get much satisfaction from Dobson i.e. the 21 pounds owing to Blurton (2) Should not York Hospital treat such cases free? AON 19/11/29" (*Department of Native Affairs*, Personal File: 274/26).

By the end of January the following year (1930) and clearly running out of patience, Mr.

Neville again contacted Mr. Dobson:

I must again remind you of your indebtedness to this Department on account of John Blurton.

You stated in your letter of the 4th November last that you were unable to deal with the question until your crop was off. I must ask you for a more definite attempt to liquidate this debt as the matter has now been going on for some considerable time, failing which I shall be compelled to take more drastic action.

(Signed A. O. Neville, Chief Protector of Aborigines, 28 January 1930, Department of Native Affairs, Personal File: 274/26).

Despite Mr. Neville's thoroughness, a breakdown in communication occurred: Mr. Dobson made a payment to John but John failed to inform Mr. Neville. This resulted in a terse response from Mr. Dobson:

Obviously John Blurton has not been in communication with your department. I paid him a sum of money some 4 weeks ago in fulfillment of my promise to do so as mentioned by you. I am not aware that my indebtedness is to your department.

(Signed John A. Dobson, 3 February 1930, Department of Native Affairs, Personal File: 274/26).

As expected, Mr. Neville lost no time in contacting John, informing him of this latest development and asking him to provide confirmation of the alleged payment. Mr. Neville also considered this an appropriate time to remind John that:

... there is still an amount of one guinea owing by you to this Department for X-ray, an account paid by me as far back as January 1928, and it was arranged that on receipt of money from Dobson this account could be paid.

O. Neville, Chief Protector of Aborigines, 12 February 1930, Department of Native Affairs, Personal File: 274/26).

Mr. Neville subsequently established that Mr. Dobson had paid John 5 pounds and duly apologised to Mr. Dobson for his failure to be aware of this payment. He did not do so, however, without making the following salient points:

... As harvesting is over and it now three months since the above payment was made. I must ask you to again give this matter your attention by a remittance, as Blurton is particularly in need of cash at the present moment. As Chief Protector of Aborigines all such matters concerning natives come under my personal control.

(Signed A. O. Neville, Chief Protector of Aborigines, 2 April 1930, Department of Native Affairs, Personal File: 274/26).

In July, and again in August of 1930, Mr. Neville sent further letters to Mr. Dobson, asking him to pay the balance owing to John. Unfortunately, government records provide no information on the outcome of this long drawn out story, involving John Blurton, John Dobson and Mr. Neville. The absence of information may suggest that it remained unresolved.

As I learned of our great grandfather John's story as it unfolds through the documented evidence, my respect and admiration for him grew. In addition to being an active sportsperson, it became clear that he was never afraid to stand up for his rights, as evidenced by his many letters to the *Aborigines Department*. However, by virtue of him having to go through the Chief Protector before any decision could be made, planted the seeds of an unhealthy dependence on the Chief Protector, which in turn robbed him of the autonomy afforded to other members of the wider community. Because government



interference into the lives of Aboriginal people did not stop with him, the effects of continual manipulation and meddling progressively took effect in the lives that followed him.

From the evidence provided from my research, it can be seen how these two people, Mary Ann Chubaran and Frederick John Blurton, had to work against a variety of factors if they were to share in privileges enjoyed by members of the wider community. Chief Protector Neville is shown to be diligent in formal bureaucratic activities trying to obtain justice in both cases, albeit slowly. However, being under his control meant that my ancestors, although commendably persistent in seeking justice, were not able to act as independent agents, as were non-Aboriginal people in similar circumstances. The stories of these ancestors Mary and Fredrick are discussed in this chapter in the social context of colonialism, a system they were powerless to alter. Their stories can also be considered in terms of Maslow's Hierarchy of Needs.

Towards the end of her life, Mary was living in reduced circumstances, following the death of her husband, and in poor health. This led her to apply for the Aged Pension, a lengthy process, which mainly revolved around whether she had a preponderance of Aboriginal blood. Hence, in terms of Hierarchy she was obliged to be considered in terms of which social group she belonged to in order to qualify for assistance to address basic 'physiological' needs. Being of 'mixed blood' meant that she had to negotiate between different government departments in order to receive the assistance she needed. This lowered her levels of 'Esteem' and 'Self Actualisation' by requiring her to plead her case to the authorities and at least to some extent reduce her identification with other Aboriginal people by living in a camp apart from other 'natives' except for her immediate family.

Fredrick and his family were by no means free of concern for their 'Physiological' needs, especially because of health issues. He needed the assistance of the Chief Protector in order to recover an outstanding debt from the sale of his land. This dependency lowered his levels of 'Esteem' and 'Self Actualisation', since, due to the colonial and racial policies of the government, he had less rights and hence agency, than his non-Aboriginal neighbours.

In the following chapter, I continue my ancestral research by focusing on our Aboriginal grandfather, George Shaw, our Aboriginal grandfather-in-law Charles Fitzgerald, and our Aunty Lily Shaw. Their stories provide further examples of how Aboriginal people were treated by authorities, and the extent of government control over their lives.

## Chapter Four

### *Ancestral History: George Shaw, Charles Fitzgerald, and Lily Shaw*

#### 4.1 Introduction

In this chapter, I continue my ancestral research by focusing on our Aboriginal grandfather, George Shaw, our Aboriginal grandfather-in-law Charles Fitzgerald, and our Auntie Lily Shaw. Their stories illustrate examples of the kind of battles faced by many Aboriginal people at the time. George Shaw's battles, for example, were with authorities, and their lack of willingness to believe his claim to suffering certain health problems. Unlike his parents, however, he lost more battles than he won, as the documented details reveal. In his dealings with authorities, our Aboriginal grandfather-in-law, Charles Fitzgerald, was involved in a battle over the removal of his step-children. Reference is also made to the difficulties associated with his relationship with his step-son, Billy Shaw. Finally, I contrast our Auntie Lily Shaw's successful application for exemption with that of the series of unsuccessful attempts by Charles Fitzgerald. I do this to show how authorities favoured a more compliant Aboriginal person, while those within the same family and who were less cooperative, were not taken as seriously, and even punished.

#### 4.2 George Shaw

In this section, I continue to weave the warp of my tapestry by introducing our Aboriginal grandfather, George Shaw. I provide an account of George based on information provided by government files, and archival sources at New Norcia<sup>135</sup>. He is also referred to in the *Bicentennial Dictionary of Western*

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<sup>135</sup> George Shaw is referred to as 'Jorge' in archival information contained in the New Norcia records. 'Jorge' is the Spanish/Portuguese form of 'George' and so it is reasonable to assume that its use in this context

*Australians pre 1829-1888*, Volume VII (Atkinson: 1987-1988), and in Haebich's research (1988: "Aborigines and Agricultural Development", (17-18). As with our great grandfather John Blurton, it was through a reading of Anna Haebich that I had my first encounter with our grandfather, George Shaw.

George, the only son of William Shaw, our Aboriginal great-great grandfather<sup>136</sup>, was born at Toodyay, northeast of New Norcia, where he was later baptised:

In the year of the Lord 1888, on the 1st April, I the undersigned, in the Church of the Most Holy Trinity, New Norcia, Western Australia, baptised a boy of about six years of age, son of Billy, or William Shaw and Mary Lee, who live in the town of Newcastle<sup>137</sup> in this Colony. He was given the name George Shaw. The godfather was William Ryder.

(Signed Bernard Martinez, Priest, O.S.B)<sup>138</sup>



#### **9. Our Aboriginal great-great grandfather William (Willie) Shaw, father of George<sup>139</sup>**

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reflects the Spanish influence of the Benedictine Monks. There are many other examples of the interchangeability of Spanish/English forms of names listed in *Aborigines of New Norcia – The Bicentennial Dictionary of Western Australians* (Vol. VII), Compiled and edited by Neville Green and Lois Tilbrook (1988). I shall refer to our grandfather by using the English version, 'George'.

<sup>136</sup> As indicated in my Introduction, William was the son of Mary Ballapon, a full-blood Nyoongar woman, and George Edward Shaw (1828-1875). William (or 'Willie' as he was more commonly known) is not to be confused with our uncle Billy Shaw, son of Victoria Blurton and George Shaw. William was married to a Nyoongar woman, Mary Lee. Together they had the one son, George. In 1910, William remarried a white woman, Mary Ann Hill, and together they had eleven children. Among Mr. Neville's notes is a record of his visit to Cecil's family at their campsite near Geraldton. This is also referred to in the following chapter, which focuses on our mother.

<sup>137</sup> Newcastle was the former name for Toodyay.

<sup>138</sup> I gratefully acknowledge Dom David Barry OSB, for providing the translations from Latin into English, of this, and other archival records at New Norcia relating to our Aboriginal Shaw ancestors (Translated: 29/7/04).

<sup>139</sup> Jupp and Shaw (2003) dedicated their finished work to William Shaw. This photograph has been provided courtesy of these authors.

George later moved to Catabody (located north of New Norcia and within the Shire of Victoria Plains), where all seven of his children were born, among them our mother, Ruby Shaw. The *Aborigines Department* was established around this time and Henry Prinsep was appointed its first Chief Protector of Aborigines by the then Premier, John Forrest<sup>140</sup>. The Swan River Colony had been in existence for fifty-two years and New Norcia Mission for thirty-five years. Both these foundations were to play a significant role in George's life, and indeed in the lives of many other south-western Aboriginal people.<sup>141</sup>

#### **4.3 Battles with authorities**

The documented information concerning George centres on his constant complaining to authorities, and his continual claim to an alleged illness. Through this information, however, I came to an appreciation of his level of commitment towards addressing the needs of his people, evident through his courage to constantly challenge authorities on their behalf; a characteristic that earned him the reputation of a complainer. Authorities may not have always regarded the way he went about his protestations as appropriate, but this does not detract from his image as a proud Nyoongar man, always ready to defend the rights of Aboriginal people. The following, taken from one of the letters he wrote to the Chief Protector, illustrates this:

Just a few lines referring to the treatment of the natives, Well sir one particular person named Jack Mara reports that he is not getting fairly treated only receiving 50lbs of flour every two weeks 24 lbs of sugar 1lb meat and that is all receiving no tobacco, no money. Another native name Stephen Walley who has been working for the Mission for his life time,

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<sup>140</sup> Subsequently, Mr. C. F. Gale (predecessor to Mr. Neville) was Chief Protector of Aborigines from 1908-1915.

<sup>141</sup> People belonging to the country comprising the south west of Western Australia are known generically as the Nyoongar people.

reports that he is getting no rugs and that he is getting only 27 shillings a week and keep himself and family wants to know if he has to get the rugs.

(Signed George Shaw April 27th 1911, Aborigines and Fisheries Department, Personal File: 413/11).

In an earlier letter, George had complained about the amount of rations handed out at New Norcia<sup>142</sup>:

I am writing to you in reference rations. I have been refused an account received from you and will not give rations to without forms I went to him but he would not listen to me so I wish you would shake them up a bit for they take no notice of a sick native up this way. I have been up to them since I arrived and been told to go to Lanigan the shopkeeper said that he has nothing to do with giving rations to sick natives.

As far as looking after the natives New Norcia Mission is no home for the native at all. They keep a few hands here to carry bricks because they are cheap but I can assure you that if they are sick they have got no time for the sick native ... Well sir also about rugs well I am getting one and my wife the same and I think we ought to get two each as we have three little children they get nothing at all.

I am

Dear sir your servant George Shaw.

(Signed George Shaw, 22nd December 1910, Aborigines and Fisheries Department, Colonial Secretary's Department, Personal File: 1287/10).

These two examples illustrate why the Department regarded George as a troublemaker.

Nevertheless, regarding his complaint relating to the treatment of Aboriginal people at New

Norcia, he succeeded in gaining an appropriate response from the Chief Protector:

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<sup>142</sup> It was around this time that economic conditions worsened for most Aborigines. Ever greater numbers found it necessary to turn to the *Aborigines Department* for assistance. Haebich cites Departmental figures for people receiving rations as dramatically increasing from 996 in 1907 to 3,330 in 1914 (1988: 46). In 1909, procedures were introduced to improve efficiency and control of rations, through the employment of government contractors. This in turn expanded the role of police in the lives of Aboriginal people (Haebich: 1988, 98).

With reference to your letter of 22nd December last, complaining of the treatment by the New Norcia Mission of the Aboriginal natives, I beg to state that it is my intention of visiting the Mission in the near future, when the subject of your letter will have my attention.

(Signed C. F. Gale, Chief Protector of Aborigines, 1st February 1911, Aborigines and Fisheries Department, Colonial Secretary's Department, Personal File: 1287/10).

While the Department's Travelling Inspector later substantiated George's claims (Haebich, 1988: 19), the storekeeper at New Norcia and the Moora police persisted in questioning his integrity:

(Re George Shaw Aboriginal) As requested by your wire on the 25th inst. I have started supplying him with rations @ the rate of 6 per day for himself only. He had a wife and four children also. What is your advice re this latter.

From appearance Shaw seems young and well enough to work but from ... I find that he is subject to fits and when they attack him he is bad for some time after. He says that he is well known to your Dept and has been treated in Perth by the Dr for his complaint.

I would like to hear further from you re this and if you think that Shaw should continue receiving relief will I be in order in giving him a rug etc.

(Signed Mr. Lanigan, Storekeeper, New Norcia, 28th April 1911, Aborigines and Fisheries Department, Colonial Secretary's Department, Personal File: 1287/10).

In a further letter to the Chief Protector, the New Norcia storekeeper reinforced the view of George as a troublemaker:

With reference to Shaw I told him that I would discontinue supplying him after this week as he is young and appears now to be well able to work. The most he appears to be good for is stirring up discontent among the other natives for he has a lively tongue and preaches that all the

aborigines [sic] young and old should receive supplies from the Government ...

(Signed Mr Laneragn, 9th May 1911, Aborigines and Fisheries Department, Colonial Secretary's Department, Personal File: 1287/10).

The perception of George as a troublemaker persisted. The Moora police took his claim to have an existing medical condition a little more seriously:

A native named George Shaw from New Norcia came here on this date and applied for rations and rugs for himself and wife and four young children and states he is destitute and takes very bad fits and he says he has been ordered rations from your office. I would be glad to know if this is so. I had a conversation with Mr. Lanigan of New Norcia recently and he did not feel inclined to give him rations as he was of the opinion the native could work. But I think otherwise from what I saw his tongue and legs are very much cut which he says was done whilst in fits. However I think he has been in some trouble at New Norcia causing some of the other natives to become discontented with what they were receiving. As this family was almost starving I gave an order for one weeks rations and two blankets and shirts.

(Signed – signature indecipherable – Moora Police Station, 11th May 1911, Aborigines and Fisheries Department, Colonial Secretary's Department, Personal File: 1287/10).

In response to these reports, the Chief Protector issued the following directive to the Officer in Charge at the Moora Police Station:

In reply to your letter of the 11th instant, re George Shaw, I approve of the temporary relief you have given him, and if the man is ill, of course he must be relieved, but still I depend on you in using your discretion as to when to give him relief, as I do not wish any native who is able to work to be encouraged in idleness.

I have informed Mr. Lanigan that he can temporarily relieve natives if they are in distress, reporting each case to me by post.

(Signed C. F. Gale, Chief Protector of Aborigines, Aborigines and Fisheries, 31st May 1911, Personal File: 1287/10).



George's battles were over not only the short supply of rations and the way Aboriginal people were treated. He also complained for most of his adult life that he suffered from epileptic fits. Neither medical nor government authorities believed him.

#### **4.4 Battles with health**

The *Department of Aborigines and Fisheries*<sup>143</sup> held a file, labeled 'Medical treatment of half-caste Shaw' (1124/12). Contained in this file is a medical report from Dr. J. E. Ferguson Stewart of Guildford. This report represents a response to a request from the Chief Protector, Charles F. Gale. Following, is a portion of that report:

Charles Shaw [the same person as 'George Shaw'] has been examined by me and I cannot find anything wrong with him. He states that he suffers from fits. The description of the fits tallies sufficiently with certain forms of epilepsy. I am inclined, however, to regard him as a malingerer and to settle the point finally suggest his submission to Perth Public Hospital for observation for 3 or 4 weeks. I have never seen one of these fits and he says they always occur at night. As things are at present he seems to make himself a nuisance to the Police.

(Signed J. E. Ferguson Stewart D.M.O. 15 August 1912, Personal File: 1287/10).

Acting on this advice, the Chief Protector sent George to the Resident Medical Officer at the Perth Public Hospital with the following letter:

The bearer, Charles Shaw, half-cast, is the man I spoke to you about yesterday afternoon. Would you kindly have him thoroughly examined, and if you consider it necessary, retain him for a few weeks at the Hospital and keep him under observation.

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<sup>143</sup> The *Aborigines Department* was established under the *1897 Act*. In subsequent years, it became known by different names. In 1909, the Departments of Aborigines and Fisheries were amalgamated. As Haebich points out, this was "largely a matter of administrative expediency" (1988: 96).

For your information I attach copy of letter received from Dr. Ferguson Stewart, relative to this man's case.

(Signed C. F. Gale, Chief Protector of Aborigines, Aborigines and Fisheries, 16 August 1912, Personal File: 1287/10).

George rejected the idea of hospitalisation. However, before the year was out, he was serving a month of imprisonment in Fremantle jail<sup>144</sup>. The Chief Protector seized this opportunity to test the truth of George's claim that he suffered from epileptic fits. He sent the following dispatch to the prison authorities accordingly: "... the Chief Protector of Aborigines considers that now would be a favorable [sic] opportunity of testing the truth of this man's statements made to this Department to the effect that he is subject to epileptic fits":

In this connection I might add Shaw has for some time been under the treatment of the District Medical Officer at Guildford, who is inclined to regard him as a malingerer, and, acting on his advice, we lately arranged for Shaw's admission to the Perth Public Hospital to be kept under observation, but the man refused to go. Shaw states that all his fits occur at night-time, but no one, except his wife has ever seen the man in a fit.

The Chief Protector of Aborigines would be glad if you could assist him in any way in this connection, as Shaw has become a perfect nuisance to the Department and trades on the fact of the alleged fits.

(Secretary to Chief Protector Gale - name indistinguishable – Aborigines and Fisheries, 14 October 1912, Personal File: 287/10). 1287/10).

The requested medical report from the Fremantle prison confirmed the general view that George's claim to have an ongoing medical condition was a fabrication:

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<sup>144</sup> It is unclear why he was imprisoned at this time. It is reasonable to suspect, however, that it would have been for a similar offence to that referred to by Haebich (1988: 17-19) in which Shaw, Jackimarra and Moody, attacked the monks at New Norcia as a protest over the unjust treatment metered out to Aboriginal people there.

This man has shown no signs of having had fits, and has not had a fit during his detention here.

The description of his fits which come on only at night, does not coincide with the symptoms of any ... (indecipherable).

(Signed Dr. D. Williams M.O. Fremantle Prison, 7 October 1912, Personal File: 1287/10).

John Blurton on the other hand, was prepared to testify that his son-in-law was telling the truth. He wrote to the Chief Protector outlining his concerns over George's health:

Re George Shaw

I would like to know if you could possibly do anything for him as has been troubled with the fits again. I met Mr. Lanigan I think it was and told him that I knew for certain that he took fits and yet has been refused rations by the Aborigines Department and now he has been having fits very frequently of late and therefore not in a very fit state to work always and now I hardly think it is a fair thing to keep me and his family especially as I have a very big family of my own. I certainly think the Department should see to him. He is a son in law of mine and if the Department can do anything for him it will take a good deal of weight off my shoulders and I may have here state that I can get people here to uphold all that I say about Shaw.

(Signed J. Blurton 26 January 1913, Personal File: 1287/10).

Chief Protector Gale, however, remained firm in his refusal to provide George and his family with material relief, on the basis that he disbelieved his claim to be suffering from fits, and was capable of work:

I beg to acknowledge receipt of your letter of the 26 January last, and to inform you that George Shaw has had every opportunity of proving to me that owing to his alleged complaint he is unable to earn his own living. He refused to go into the Perth Public hospital and submit himself to treatment, and, at my request, the Medical Officer at the Fremantle Gaol had him under observation during his residence there and reported that he failed to find any symptoms of epilepsy. I am, therefore, unable to sanction any Government relief being given to him.

With regard to Shaw's children, I am prepared to consider the question of placing them in some mission, if he so desires.

(Signed C. F. Gale, Chief Protector of Aborigines, Aborigines and Fisheries 4th February 1913, Personal File: 1287/10).

Dissatisfied with this response, John Blurton took the matter up again with the Chief Protector:

... I am to inform you again that George Shaw is badley [sic] troubled with is complaint and I want you to assist [sic] to him ... I should consider that the Aborigines Department shuld [sic] look to him have is rations up heir at nearest Station becous it take a lot of weight of my shoulders becous [sic] I know that he is a bit of a bother down their when he is there and I would be to glad for the department to look to it and their lots of others up this way is getting rations I consider you could do the same with him you know that everybody as got him set there and don't lit be him so I do with him is to let him stop heir on my place so I should look to him you must see into this better this time the man is not fit to work no more at present.

Yours kindly

(Signed J. Blurton 18th February 1913, Aborigines and Fisheries, Personal File: 1287/10).

On the 23<sup>rd</sup> February, Mr. Gale curtly replied to John, stating that he had nothing to add to his previous letter of 4<sup>th</sup> February 1913. By June 23<sup>rd</sup> of the same year, George's concerns over the welfare of his family had increased:

Sir Just a few lines asking your atenson [sic] pleas Sir if you would let Mrs. Shaw and children have a few cloths that they are in want of cloths I could see that they have no means of bying [sic] cloths [sic] for themselves I would be very much pleas for you to grant it for the children and herself Pleas (sic) Sir.

(Signed Gorge Shaw 23rd June 1913, Aborigines and Fisheries, Personal File: 1287/10).

This provided the Chief Protector with another opportunity to introduce the idea of sending George and Victoria's children to a mission:

Relative to your favour of 23rd instant, asking for a few clothes for Mrs. Shaw and her children, please let me know the names, ages and sexes of the children. Upon receipt of this information action will be taken in the direction you ask.

Would it not be as well for these children to be sent to a mission? I shall be glad if you will bring this under the notice of Mrs. Shaw, and ascertain whether she will consent to have this done.

(Signed C. F. Gale, Chief Protector of Aborigines, Aborigines and Fisheries, 3rd July 1913, Personal File: 1287/10).

Acting on behalf of his daughter Victoria and son in law George, John Blurton supplied the Chief Protector with the requested information on the children, with a view to getting some assistance for them. John eluded the question of sending the children to a mission by asking for more time to consider the matter:

... he will tell Mrs. Shaw a bit latter on about the matter for the children education I will let you know bit further yes she might come to a bit longer So I will let you know if so.

(Signed John Blurton for Mrs. Shaw, Catabody, 12th July 1913, P Aborigines and Fisheries, Personal File: 1287/10).

The Chief Protector took action in relation to the needs of George's wife and children, but with an accompanying warning:

With further reference to my communication of the 3rd instant, and to yours of the 12th, I have to inform you that a parcel of clothing is to-day being despatched [sic] to you for the use of Mrs. Shaw and her children.

The clothing is of far better quality than that usually supplied, and I shall be glad if you will inform Mrs. Shaw of this and ask her to look after it in a proper manner.

(Signed C.F. Gale, Chief Protector, Aborigines and Fisheries, 24th July 1913, Personal File: 1287/10).

On the 21<sup>st</sup> June 1916, the Secretary at the Carrolup Native Settlement<sup>145</sup> notified the *Aborigines Department* that George Shaw had died on 3<sup>rd</sup> June 1916. He was forty-four years of age. Attached to this notification was the police report containing the doctor's findings regarding the cause of death: it was due to "status epilepticus" (*Department of Aborigines and Fisheries*, 'Police Report' 3347/16). There is no indication that the *Department of Aborigines* felt any embarrassment or remorse over George's death, which is surprising, given their skepticism towards the claims he made throughout his lifetime. He clearly lost this battle.

Regarding the children of George and Victoria, Mr. Gale eventually got his own way. They were placed at Moore River Native Settlement<sup>146</sup> and orphanages at New Norcia respectively. In the following section, I describe the circumstances surrounding the removal of the children, following the death of their mother Victoria<sup>147</sup>.

#### **4.5 Charles Fitzgerald and the Children's Removal**

Victoria Shaw (nee Blurton) mourned the loss of her first husband George for two years, before marrying a second time, to Charles Fitzgerald. While Charles is not a blood relation,

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<sup>145</sup> Following a series of public meetings, protesting over apparent insubordination of Aborigines, the local Katanning police rounded all Aboriginal people up and forced them to move to a campsite on the Carrolup River. Haebich suggests that this was the first step towards the establishment of the Carrolup Mission (1988: 147). Under Neville, the vision for the Settlement became the development of a self-supporting agricultural settlement (Haebich: 1988, 165).

<sup>146</sup> The Moore River Native Settlement was the name of a now defunct Aboriginal Settlement located 135 kilometres north of Perth. The Western Australian government opened it in 1918, and it remained running until 1974.

<sup>147</sup> Details relating to the children's removal are taken from Personal File: Charles Fitzgerald, Victoria's second husband.

he is woven into the Shaw tapestry through marriage<sup>148</sup>. By drawing on relevant information contained in Charles Fitzgerald's files, I have been able to bring to light the circumstances surrounding the removal of our mother, her sisters and brother, as children. These files also provide information on our Uncle Billy at a turbulent time in his young life. Because Charles had a vegetable garden in Perth, the family moved to the city for a time; exactly how long for, is unknown. During this time, Victoria gave birth to a girl (Lena<sup>149</sup>), and then she died giving birth to a second girl, who also died<sup>150</sup>. Charles was left with six stepchildren in addition to his own daughter. Understandably, he found as a widower, that he was unable to look after his family and tend to his vegetable garden at the same time. According to researcher and genealogist Lois Tilbrook<sup>151</sup>, "... he made an arrangement with New Norcia mission for some of the girls to be sent there ..." (1983: 137). Tilbrook continues:

The girls were placed on the train, and were to be met at the station and driven to New Norcia by their uncle. On the same day that they were traveling, a number of children were being sent to Moore River Settlement on the train. When they arrived at the railway station the girl's uncle was late. The stationmaster assumed that they were really meant to be going to Moore River Settlement and so bundled them off with the other children. When their uncle arrived, he found no nieces and thought that their stepfather had changed his

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<sup>148</sup> According to the *Department of Native Affairs*, Charles was the son of an unnamed Aboriginal woman and Governor Fitzgerald (Personal File: 539/26).

<sup>149</sup> Other family members were not aware of Lena, until an accidental meeting occurred between my first cousin Lillian and Lena at Royal Perth Hospital, on our mother's passing in 1991.

<sup>150</sup> I have been unable to establish the place of her death. I can only assume it was in Perth.

<sup>151</sup> Lois Tilbrook provides a useful record of Nyongar families from the time of the establishment of the Swan River Settlement in her work *Nyongar Tradition – Glimpses of Aborigines of South-Western Australia 1829-1914*.

mind at the last moment. It was one month before the error was finally sorted out, and the girls reached their intended destination, New Norcia Mission (Tilbrook: 1983: 137).

This account contains two inaccuracies. Firstly, before reaching New Norcia, the children spent at least three months at the Moore River Native Settlement, not one, as Tilbrook suggests. Secondly, the author fails to include the girl's brother, William (Billy), who accompanied the girls. Government records provide an alternate version of events. According to this source, subsequent to the loss of his wife, Victoria, Charles found himself emotionally and materially challenged by the task of caring for seven children and working full time. Chief Protector Aldrich's promise of "proper care and education", for the children, therefore, would have presented an appealing option. According to *Aborigines and Fisheries Department* (File 2225/20), Charles initially devised plans to have the children sent to the Moore River Native Settlement, not New Norcia, as Tilbrook suggests. It is only possible to speculate on the extent of his input into the decision-making process, however, given the nature of government records and existing policies. It must be remembered, for example, that the idea of the children being sent to a mission was put to their natural parents (Victoria and George Shaw) two years earlier in 1918, when Gale was still in office<sup>152</sup>. Irrespective of whoever initiated it<sup>153</sup>, Mr. Neville recorded negotiations over the children's removal in a memo, two years later:

Fitzgerald called this morning and discussed the matter with me. After considerable deliberation, he decided he would bring his children to Perth

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<sup>152</sup> See letter from C. F. Gale, Chief Protector of Aborigines, *Aborigines and Fisheries* 4<sup>th</sup> February 1913, Personal File: 1287/10, section 2.5.

<sup>153</sup> It is for the reader to decide on who was the most influential decision maker regarding the children's future. Was it those in power, was it Charles Fitzgerald, or was it both? I am inclined to settle for the latter, as I will subsequently indicate.



on Saturday, 11th proximo, and take them the following week to Moore River Native Settlement, where he would leave them and proceed to New Norcia, at which place he proposes to work. If he is satisfied with the settlement he will leave the children there, and pay the usual rate, which in this case will be 24 /- weekly...

(Signed A. O. Neville, Chief Protector of Aborigines, 29th November 1920, Personal File 297/21).

In a manner typical of Mr. Neville's *modus operandi*, he proceeded to contact the Commissioner of Police, R. Connell<sup>154</sup>. His letter to the Commissioner provides an insight into his detached and heartless approach to the removal of Aboriginal children<sup>155</sup>:

In respect to the matter of the children of half-caste C. Fitzgerald of Quairading, regarding which there is correspondence on your file 1328/18, Fitzgerald has today had an interview with me.

It has been decided that the whole of the six<sup>156</sup> children, viz:-

Margaret aged 13 William aged 7

Mary Jane aged 12 Ruby aged 3

Lily May aged 9 Lena aged 2 ½

shall enter the Moore River Native Settlement. It is requested that the Police at Quairading will take the necessary action to remove these children from the Blurton camp and dispatch them to Perth on Saturday, December 11th next. The father will accompany them by the same train, but he does not desire to appear in the matter, on account of the open hostility of the people with whom the children are residing towards himself.

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<sup>154</sup> The protocol followed in these matters was hierarchical: The Chief Protector would communicate with police (local Protectors) through the Police Commissioner, who resided in Perth. This procedure was reversed when local Protectors needed to communicate with the Chief Protector.

<sup>155</sup> It is difficult to reconcile the Mr. Neville here with the Mr. Neville who demonstrated such care and concern over these children's grandparents (see sections on Mary Ann Chuberan and John Blurton). It is precisely these types of proceedings, however, that Mr. Neville is mostly remembered for as Chief Protector of Aborigines.

<sup>156</sup> The seventh child, Marjory, remained with her grandparents at the Blurton camp. This is substantiated by a written statement made by John Brodie to the Department 29<sup>th</sup> March 1924: "... Charlie married ... a Mrs. Shaw, who died in confinement at York. Six of the children, five girls and one boy, are now in the care of the New Norcia Mission, one is dead and the other with grandparents at Quairading".

This action is taken in accordance with Section 8157 of the Aborigines Act, the children being wards of the Chief Protector. Another child, named Marjorie, about three years of age, daughter of Fitzgerald's late wife (who was formerly Mrs. Shaw) is also residing with the Blurtons, and it is requested that your officer as to the advisability of removing this child too. If he thinks such a course is necessary, I shall be glad if he will take her away with the others. From what I know of the Blurtons, I consider them quite incapable of successfully looking after any children.

I shall be glad if you will be good enough to issue the necessary instructions accordingly.

(Signed A. O. Neville, Chief Protector of Aborigines, November 29th 1920, Colonial Secretary's Office, Aborigines and Fisheries: Personal File 297/21).

Whether the children were voluntarily placed at the Moore River Native Settlement by their stepfather or not, remains an unanswered question. Based on Departmental records, however, it can be argued that they were removed against their wills, and indeed against the will of their stepfather and grandparents. It is worth noting that in Aboriginal culture it is normal for extended family to look after children in the case of the death of a mother. What followed was a scenario repeated many times over throughout the state of Western Australia at this time. Philip Noyce graphically captured one such incident in *Rabbit Proof Fence* (2002).<sup>158</sup>

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<sup>157</sup> Section 8 of the *Aborigines Act 1905* states: "The Chief Protector shall be the legal guardian of every Aboriginal and half-caste child until such child attains the age of sixteen years."

<sup>158</sup> This film was based on *Follow the Rabbit Proof Fence* (Pilkington/Nugi Garimara: 1996). It portrays a graphic, violent and heart wrenching scene of the removal of Doris Pilkington's mother Molly and her two sisters. Under Western Australia's removal policy of the 1930s, these girls were taken from their families and transported half way across the state to the Native Settlement at Moore River, north of Perth. The film was based on a true account of how Molly led her sisters on an extraordinary 1600 kilometres walk back to Jigalong (165km east of Newman, on the western edge of the Gibson Desert). An understanding of the term 'Stolen Generations' begins with the knowledge of this style of governmental intervention into the lives of Aboriginal people at this time.



**10. *Rabbit-Proof Fence* (Image reproduced by courtesy of Jabal Films Pty Ltd)**

At the request of Inspector Houlahan, Sergeant Dodd of Northam assigned Constable Hagger to follow up the instructions received from the Chief Protector. Constable Hagger's submission to Sergeant Dodd provides a detailed description of the children's removal. The relevant citations are presented in full because of the historical significance of the underlying issue of removing Aboriginal children from their families:

I respectfully report that in consequence of half caste abo. native Charles Fitzgerald, of Quairading, having passed through York on the 9th December, 1920, the Aborigines Department were notified that he was going down to Perth, and that he could not possibly be in Quairading on Saturday, 11th instant, to bring his six children by train to the Aborigines Department, Perth, and the Chief Protector arranged that I should send them from Quairading on Tuesday, the 14th instant. I left York at 4-30 a.m. on Monday, the 13th instant, and after my arrival at Quairading I ascertained that Charles Fitzgerald and one of his half caste girls, named Margaret, aged 13, would arrive at Quairading by the passenger train that afternoon. I hired a spring cart and horse and waited for the arrival of the train, and, when it arrived, I ascertained from Fitzgerald that his daughter Margaret had left the train at

Dangin, and taken a near cut across country to Blurton's Camp. Fitzgerald and I drove out from Quairading to Blurton's Camp, about 14 miles away in the bush, and on our arrival there, I tried to get the children together to bring them to Quairading, but as soon as they found out that

they had to go to a native settlement they all started to howl, and bolted into the bush, which is very thick at that place. I tried to catch some of them but failed. Fitzgerald and I then returned to Quairading. I saw the grand-father, Blurton, at Quairading, this morning, and he informed me that he and his wife had decided to agree to the six children belonging to Charles Fitzgerald being sent to a native settlement, and that he and his wife will bring the children to Quairading and take them to Perth themselves, as no one else would ever get them there. He states that the children do not like their step-father, Charles Fitzgerald, and that they would never go with him to Perth.

The Blurton's ask for ticket orders for themselves and the six children. It seemed rather strange that Fitzgerald should send the eldest girl a near cut across country when he knew that she had to go to Perth.

I found that the children were well fed and clothed at Blurton's camping ground. There are about sixty persons, including children, at the camp.

The man Peacock, who I hired the cart from said he would not charge for the hire of it, as I had been unsuccessful in getting hold of the half-caste children.

All the natives at Blurton's camp appeared to be enemies of Charles Fitzgerald, and it is no use sending him out there to do anything.

I returned to York Station at 4-35 p.m. on the 14th December, 1920.

(Signed Edward C. Hagger, P.C. 1262, York Police Station, 14th December 1920, Colonial Secretary's Office, Aborigines and Fisheries, Personal File: 297/21).

Constable Hagger's report raises certain questions. For example, why did Aunty Margaret leave the train and the police constable at Dangin<sup>159</sup>? What evidence is there to suggest that the Blurton family were antagonistic towards Charles? Finally, is there a logical explanation for the children feeling insecure with their step-father?

In relation to the first question, it is reasonable to suggest, that, as a thirteen-year old girl, Aunty Margaret would have been terrified at the prospect of being removed from her

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<sup>159</sup> Dangin is located west of Quairading.

family and being placed in a Settlement. When the opportunity presented itself, therefore, she fled from Constable Hagger's custodial control and ran through the bush to the protective care of her grandparents, Frederick John Blurton and Mary Ann Chuberan. This conclusion is confirmed by the description of the other children's behaviour at the Blurton campsite, as outlined in Police Constable Hagger's report. His account of the children running into the bush to hide when he arrived at the campsite provides a clear indication of their resistance to go to any settlement or mission.

Regarding the second question, on what basis did the Department regard the Blurton family as 'enemies of Charles Fitzgerald? Did they resent their daughter marrying him, for example? There is no evidence to support this assumption. It does emerge in later testimonies, however, that Charles suffered from epileptic fits and displayed erratic behaviour at times<sup>160</sup>. Clearly, Mary Ann and John Blurton were initially opposed, however, to their grandchildren being taken away and placed in the Moore River Settlement, especially as they were capable of caring for them, as indicated in the police report<sup>161</sup>. One plausible conclusion is that they may have held Charles responsible for agreeing to the idea of the children being removed in the first place. Yet, on the other hand, and as the police report also shows, they must have had a change of heart overnight, because next morning their grandfather informed the police that he and their grandmother "had decided to agree to the children being sent to a native settlement". Furthermore, they would take the children to Perth themselves, as they would not go with Charles, because 'they do not like their stepfather'.

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<sup>160</sup> These testimonies have been provided by John Blurton and Police Constable Hagger, and do throw Charles's suitability as a sole parent into doubt. See also section in this chapter (4.7), which looks at his relationship with Uncle Billy, as described in government records.

<sup>161</sup> This conflicts with Mr. Neville's view as stated in his letter to the Commissioner (29<sup>th</sup> November 1920. Personal File: 297/21).

The main point to be realised in this account, despite conflicting and ambiguous statements and unanswered questions, is that the children were taken away, and whether it eventuated through persuasion or coercion by the Department, the children themselves made it quite clear that they did not want to go. It should also be noted that Constable Hagger says in his report “I found that the children were well fed and clothed at Blurton’s camping ground”, where he found that “there are about sixty persons, including children”. Hence, it seems that the children were living in good conditions within a large camp.

The stories of my ancestors Mary Chuberan and Fredrick Blurton from the late nineteenth and early twentieth centuries removal of children represents a further stage in the Department’s control over Aboriginal peoples’ lives. The Department continued to eradicate all personal autonomy, and extended an existing reliance on them for all aspects of their lives.

Finally, regarding the children’s alleged resentment (or dislike of) Charles, presuming this to be the case, one could reasonably assume that they had not come to terms with the idea of having a stepfather<sup>162</sup>. According to later experts, this is a common family experience in such situations<sup>163</sup>. It is clear from later records, however, that Uncle Billy never did come to terms with his stepfather as I will show in the next section.

Leaving aside the reasons for the children’s removal, and who was ultimately responsible for this action, the record shows that Inspector Houlahan directed Sergeant

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<sup>162</sup> In the course of a biographical interview with my elder brother Charlie Shaw, he assured me that his memories of staying with Charles Fitzgerald in his cottage at New Norcia are all positive. My first cousin, Lillian McDonald added further assurance by pointing out that her mother (Margaret) would not have allowed her or the other children to have stayed with him if there was any doubt about his character. They felt safe with him and Charlie was definite in saying that they all remember him with affection.

<sup>163</sup> Drawing from a “National Child Development Study in Britain” and the findings of a host of reputable researchers, Ochiltree concludes “Children living in stepfather families did not get on as well with their stepfathers as children with natural fathers” (1990: 32). Gay Ochiltree is a Senior Research Fellow at the Australian Institute of Family Studies.

Dodd to make the necessary arrangements for the Blurton family to take the children to Perth, where they would be subsequently transported to Mogumber<sup>164</sup>. Constable Hagger submitted his report to the Inspector accordingly:

I respectfully report that on my arrival at Quairading on the 20th. Instant I sent a message out to Blurton camp for old Mr. And Mrs. Blurton to bring the seven half caste children into Quairading and I would furnish them with tickets on the morning of the 21st instant, so that they could take the seven children to the Aborigines Department, Perth.

The Blurton's brought the seven children into Quairading at about 9-30 a.m. and I issued tickets chargeable to the Aborigines Department. Blurton refused to go any further unless food was provided for them on the journey, and I had to go to Mavros Store and get six packets of biscuits, 1 lb. of cheese and 2lb. Loaf of bread, and handed his voucher from No. 10 to sign, and hand to Constable Brown, as he had no time to make out the account just then.

The Blurton's and children arrived at York at 3 p.m. The Aborigines Department were notified to meet them at Perth tonight. They left York by the 4 p.m. train, and I returned to station at 4-15 p.m.

(Signed Edward C. Hagger, P.C. 1262, York Police Station, 21st December 1920, Colonial Secretary's Office, Aborigines and Fisheries, Personal File: 297/21).

The authority's lingering objective realised, our mother, aunties and uncle, officially became part of the 'Stolen Generations'<sup>165</sup>. They would have arrived at Moore River in time to spend Christmas day there. In less than four weeks of the children being at the Settlement Charles lodged a complaint about the conditions the children were living under. Perhaps, it was on seeing these conditions that he was prompted to consider an alternate

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<sup>164</sup> Mogumber is the nearest rail siding to the Moore River Native Settlement.

<sup>165</sup> The children's removal needs to be historically situated in a time when this was government policy. This, together with the earlier references to the Department suggesting that the children be removed, strengthens my belief in this statement. For a description of the origin and significance of this term, see <http://www.stolengenerations.info>.

plan for the children. On the 13<sup>th</sup> January 1921, he wrote the following letter to the Chief Protector suggesting a transfer:

I have the pleasure of informing you that having applied to the New Norcia Missions authorities for a place in their orphanages for my child and step children and having obtained it I proceeded last Tuesday to the Mogumber Settlement where the children were provisionally kept in order to transfer them to New Norcia only to find to my great surprise a refusal of the Manager of the Settlement grounded on the agreement signed by me which agreement I was not able to produce. I did not sign at any time any agreement only I consented to send the children there on the advise of Mr. Neville but reserving my liberty of doing later on what I thought more convenient.

The reasons for taking away the children from the Settlement are mainly two: first because I am myself living at New Norcia and second because I do not like to see them exposed to lose their Catholic faith in the Settlement.

(Signed Charles Fitzgerald, 13th January 1921, Colonial Secretary's Office, Aborigines and Fisheries, Personal File: 297/21).

On behalf of the Deputy Chief Protector Fred Aldrich, Ernest Copping<sup>166</sup> wrote to Charles, inviting him to discuss this proposal further:

With further reference to yours of 13th instant, the Deputy Chief Protector of Aborigines would be glad if you will call at the first opportunity you have to discuss the question of the future disposition of your children who are now inmates of the Moore River Native Settlement.

(Signed Ernest Copping, Secretary, Government of Western Australia, 14th January 1921, Aborigines and Fisheries, Personal File: 297/21).

Charles had previously written to Ernest Copping explaining the difficulty for him to travel to Perth because of work commitments at New Norcia:

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<sup>166</sup> Ernest Copping had replaced Edward Bolton as secretary in 1919 (Jacobs: 1990: 9).



... I beg to state that being a workingman depending on my daily wages, it would be a great loss to me to have to go to Perth and undergo so much expense without absolute necessity.

I want my step-children and my young child near me here where I am employed and where I can have them brought up in their faith; this is so very reasonable Sir, that I am sure you will admit it; I only beg of you to kindly let me know as soon as possible at what date they will be ready to join me; a kind friend of mine will go to meet them. Thanking you in anticipation of your kindness.

I have the honour to be your obedient and grateful Servant

(Signed Charles Fitzgerald, New Norcia, 7th February 1921, Colonial Secretary's Office, Aborigines and Fisheries, Personal File: 297/21).

Earnest Copping responded by suggesting that Charles speak with the Superintendent at Moore River Settlement instead:

... I am directed by the Deputy Chief Protector of Aborigines to advise you that in view of the fact that you are unable to come to Perth and discuss the matter with him, he has decided to refer it to the Superintendent, Moore River Native Settlement. No doubt you can make it convenient to call and see the Superintendent (Mr. Campbell) at the settlement, who will have authority to return the children to you if he is satisfied that it is to their interest to do so.

(Signed Ernest Copping, Secretary, 8th February 1921, Colonial Secretary's Office, Aborigines and Fisheries, Personal File: 297/21).

It was around this time the *Department of Aborigines* was divided into two sections. Neville was responsible for Aborigines above the twenty-fifth parallel and Aldrich was responsible for Aborigines below that line (Jacobs: 1990, p, 100). One cannot help but notice the marked contrast between the respective approaches of Neville and Aldrich. While Neville insisted on dealing with all aspects of his role personally, Aldrich seemed to

have left much of the day-to-day work to his secretary. Jacobs describes him, “Aldrich was not interested in his duties as Deputy Protector” (1990: 106). Jacobs goes

on to say, that Aldrich’s apathetic style overflowed into his managerial responsibilities for the Moore River Native Settlement, which “Rapidly declined under a brutal indifference” (Jacobs: 1990: 123). Once again, Secretary Ernest Copping had to send the following report to the Superintendent at the Moore River Native Settlement, on behalf of the Deputy Chief Protector:

There are 6 children of half-caste Charles Fitzgerald at your settlement, who were placed in the settlement at the request of Fitzgerald.

At the time the children were placed at the settlement Fitzgerald emphatically stated that he did not wish them to go to New Norcia. He has now, however, made application for the return of the children to him at New Norcia; probably owing to the fact that he has obtained work there he has changed his mind in regard to having the children at that centre.

In view of the fact that Fitzgerald originally objected to the children going to New Norcia, he was asked to call and discuss the matter with the Deputy Chief Protector of Aborigines before they were returned to him. He, however, advises that he cannot afford to lose work to enable him to proceed to Perth for this purpose.

The Deputy Chief Protector has, therefore, decided to refer the matter to you, and Fitzgerald has been requested to call upon you.

Provided Fitzgerald satisfies you that he desires the children to live with him at New Norcia, and that he has not been influenced by anyone outside to remove the children from the settlement, you are at liberty to allow him to take them away. Please report in due course what action you have taken in the matter.

I would point out that when the children were handed over to the care of this Department Fitzgerald agreed to pay maintenance for them at the rate of 4/- per week each – total 24/- per week. Please draw his attention to this, and try and make definite arrangements for the payment due for the period 24th December last (the date the children arrived there at the settlement) up to the time they leave.

(Signed Ernest Copping, Secretary, 23rd February 1921, Aborigines and Fisheries, Personal File: 297/21).

On 5<sup>th</sup> April the Superintendent recorded that “Charles had paid an initial installment of two pounds for the six Shaw children”. This became the first in a series of ongoing exchanges over payments, between the Department, Moore River and Charles. In a letter to Mr. Campbell (Superintendent at Moore River Native Settlement), Charles offers an explanation as to why he cannot pay at this time (April 23<sup>rd</sup> 1921). The *Aborigines Department* persisted in hounding Superintendent Campbell about the matter for several months following. There are letters, for example, dated 13<sup>th</sup> August, 29<sup>th</sup> September, 24<sup>th</sup> November (1921), and 28<sup>th</sup> January (1922), each asking if Fitzgerald had remitted any further payments on behalf of the children. In a communication to the Department, the Superintendent asserted “that nothing further will be paid by Fitzgerald” (13<sup>th</sup> February 1922).

On 2<sup>nd</sup> February 1922, however, Charles wrote to the Department outlining his impressions of the Moore River Native Settlement, and more importantly, his understanding of how the children came to be there in the first place. I quote his letter in full to preserve the integrity of his claim:

Just to let you know that I am willing to pay what I owe but sorry to say I am only getting just enough money to get cloths ... what silver I have left over ... not much left out of five pounds.

And I would like to tell you that Mr. Nevel [sic] and I made arrangements about those children was this that I was to bring the children down to Perth and go to the settlement and see what sort of place it is myself; if the place is suitable for me to leave them their or not. Therefore those children was not to be taken there; only by those condition. So you must remember that they are not my children only one is belong to me; I am only a step Father for Five of them. But I can say that there is more than one Family there in that settlement that got a Father but not paying the government to keep them there. I know two three Family there that as got Fathers and they are not paying the government for the keeping of those children.

I have told Mr. Neville I would rather pay so much to keep them their but on the condition that the place is suitable to me to leave them their he has told me to bring the children down to Perth while I got to the settlement and see for myself what sort of place it is. But the children were taken there without my assistant and to let you know that those children was taken there in good health. I mean without any sores but when I went their I was surprise to see them. I was saying to my two sisters it is a wonder they have not been sunstruck before this. None of them had no hat on and beside they had thear [sic] hair [sic] cut right to the skin so I thought it was time I took them out.

So to take them out I was made to sign a agreement before I can take them out and beside they were very glad to come out from the settlement them self; I went to the settlement myself next time after I had taken the children out. I went to the dining room of the little girls and boys and I see with my own eyes that when a boy asked for a slice of bread ... woman just simply throw the bread across to him just as if he was a dog. She treat's every one the same boy and girl.

So you must remember; I keep my step Children for three years in the best of food and plenty of it to. And I always make them keep themselves tidy.

So I think I have said enough; but I am going to find out if the Fathers of those Children what I know has got Fathers and I am all most sure that they are not paying for them so I am going to find out.

So I am waiting for your reply to this letter please if you want to say anythink agenst [sic] this letter please write.

(Signed Charles Fitzgerald, New Norcia Mission, 2nd February 1922, Aborigines and Fisheries, Personal File: 297/21).

As for transferring the children to New Norcia, he had the support of Sister Mary, the Sister in Charge at St. Joseph's Orphanage:

We hereby certify that we are prepared to take full charge of Charles Fitzgerald's six children and we beg they be delivered to him for this purpose. He has permanent work in the mission and gives every satisfaction, being a sober honest man.

(Signed Sister Mary, Sister in Charge, St Joseph's Orphanage for Girls, New Norcia, 3rd March 1921, Aborigines and Fisheries, Personal File: 297/21).

This letter of support from Sister Mary may be viewed as an example of “an outside influence”, referred to by Secretary Copping in his letter dated 23rd February 1921, referred to earlier. Nevertheless, as the following report to the Chief Protector from Superintendent Campbell shows, Charles’ request is granted:

Re Fitzgerald Family: I have gone into this matter with Fitzgerald, the only reason why he wants the children is, that he now has permanent employment as head teamster at New Norcia – attached please find a letter from the Nun in charge at that Station, taking over all responsibility, also an agreement from Charles Fitzgerald for payment of arrears – The six children have been released as from the 4th. Inst.

(Signed J. Campbell, Superintendent, Moore River Native Settlement, Mogumber, 5th March 1921, Aborigines and Fisheries, Personal File: 297/21).

Before releasing the children, however, the Superintendent requested Charles to sign a promise that he would pay any existing arrears:

I Charles Fitzgerald do promise to pay to the Aborigines Department the sum of Twelve Pounds eight shillings, money owing from the 23rd December 1920 to 4th March 1921 for support of my Children, by the following payments

March 30th Two pounds

April 30th One pound ten shillings and One pound ten shillings for each consecutive month thereafter Total: Twelve pounds and eight shillings.

(Signed Charles Fitzgerald, J. Campbell, Superintendent, M. A. Mulvale (witness), 4th March 1921, Aborigines and Fisheries, Personal File: 297/21).<sup>167</sup>

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<sup>167</sup> The witness to Charles’ signature is Mrs. Margaret Mulvale, who Alice Nannup refers to in her story, *When the Pelican Laughed* (1992: 60, 88, and 107). See Chapter Four for more detail on Mrs. Margaret Mulvale and her adopted daughter Miss Mary Mulvale.

There is further information contained in Charles Fitzgerald's files that is of interest from an historical point of view. It seems that his association with Moore River did not end with the children being transferred to New Norcia. He showed interest in the prospect of remarrying a woman by the name of Alice Anderson who resided at the Moore River Settlement. The following extracts from John Brodie's<sup>168</sup> letter to Secretary Copping, together with his reply, reveal something of their condescending and discriminatory attitude they held towards Aboriginal people:

Re proposed marriage of Chas. Fitzgerald and Alice Anderson. This marriage is off. Alice has exercised the prerogative of her sex and changed her mind. A gentleman named Gibraltar is Alice's new fancy. Chas. Fitzgerald is here now. He seems a superior sort of chap. He says so far as Alice is concerned he will have nothing more to do with her, but that three others here have volunteered for the position vacated by Alice, which is somewhat sudden, but after he has given the matter careful consideration he will submit the name of the successful candidate at a later date.

Charlie claims to have kept a woman and eight children for three and a half years, in support of his qualification to get married. Charlie married this woman, a Mrs. Shaw, who died in confinement three years ago at York. Six of the children, five girls and one boy, are now in the care of the New Norcia Mission, one is dead and the other with grandparents at Quairading. None of these children are Fitzgeralds. As the marriage proposal has fallen through, he must await fresh developments before a recommendation can be put up.

(Signed John T. Brodie, Superintendent, Moore River Native Settlement, Mogumber, 29th March 1924, Aborigines and Fisheries, Personal File: 297/21).

Haebich substantiates this assumption by referring to Brodie's sarcastic and insensitive attitude based on his:

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<sup>168</sup> Superintendent at Moore River Native Settlement from 1924 – 1926.

... low opinion of Aborigines. He believed they had 'the mind of a child' and was convinced that they could not survive outside Moore River ... In 1926 Brodie went so far as to tar and feather a nineteen-year-old youth in front of the settlement staff and inmates (1988: 204).

Secretary Copping and the Deputy Chief Protector show that they were no better than Brodie in this regard. Copping replied by writing " ... Mr. Aldrich would like to know whether Leap Year has anything to do with the unfortunate position Fitzgerald finds himself in. He is evidently in great demand. ..." (11<sup>th</sup> April 1924).

In another letter to Copping, Brodie acknowledged his error in allowing Charles to visit the Settlement without Mr. Aldrich's permission and assured the Deputy Chief Protector that he would refer any future dealings about Charlie to him. He then returned to his sarcastic and demeaning tone:

Charlie is certainly in great demand at concerts, and otherwise by the unfair sex. I don't think leap year has anything to do with Charlie's malady of a superabundance of bliss. There are about half a dozen young ladies here who are ready and willing to marry anyone on sight, and they will propose any old year. I would suggest letting them, and let both parties take their chance and repent at leisure if necessary. These girls are a source of trouble and the realities of life would perhaps disillusion them.

(Signed John T. Brodie, Superintendent, Moore River Native Settlement, Mogumber, 16th April 1924, Aborigines and Fisheries, Personal File: 297/21).

This evoked a reminder from Copping, more serious in tone:

... Remarks have been noted, but marriages of parties at the Settlement are not to take place without the consent of the Deputy Chief Protector having been first obtained.

(Signed E. Copping, For Deputy Chief Protector of Aborigines, 6th May 1924, Aborigines and Fisheries, Personal File: 297/21).

There were two further occasions when Charles found himself back at the Moore River Settlement. Charles' and his second wife (Philomena Yates), were sent there on 9<sup>th</sup> October 1932 for "medical treatment and ... temporary destitution" by Mr. Neville. Records show that he was re-admitted to the Settlement again on 15<sup>th</sup> July 1937 (539/26).

#### **4.6 Uncle Billy Shaw and Charles Fitzgerald**

Previously, I alluded to the possibility that the Shaw children may not have come to terms with their stepfather, Charles Fitzgerald, and that this could explain any irregular behaviour towards him on their part. In this section, focusing on Uncle Billy, I am not concerned with what may be construed as rebellious behavior towards his stepfather, rather I want to focus on the extent of control by the *Department of Native Affairs* over the lives of both Charles Fitzgerald and Uncle Billy Shaw. They must be viewed, however, as representative of many other Nyoongar people, who lived around the same time<sup>169</sup>.



**11. Uncle Billy Shaw and his wife Topsy**

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<sup>169</sup> This principle of representation is to be understood as applicable throughout my research. To put it another way, while I am endeavouring to give a voice to certain members of the Aboriginal Shaw family, they are never to be regarded apart from their Nyoongar sisters and brothers who lived at the same time. Many Nyoongar people at that time would have had similar experiences of Departmental control.



William is described by his stepfather as “a bad boy” (*Department of Native Affairs*, undated, Half-Caste Fitzgerald Family [Late Shaw Family], Personal File: 539/26). The justification for this claim is found in a letter sent to the Department from Charles Fitzgerald, expressing his concern over him. The corresponding memo, written by Mr. Copping (Secretary to the Deputy Chief Protector), stated that:

He [Fitzgerald] complains that his stepson, William Shaw, about 15, is a boy of violent temper and likely to get into trouble at any time. He asks that he be sent to him at New Norcia.

(Department of Native Affairs, 17th February 1926, Personal File: 539/26).

To his credit, the Deputy Chief Protector acted on Charles’ parental concerns and demonstrated his support by lodging the following request with the Commissioner of Police in Perth:

There is a half-caste boy – William Shaw – about 15 years of age, in Greenhills district, probably with the Blurton family. Should you have an officer in the locality at any time, would you please ask him to try and pick up the boy and, if he can, send him to us, so that we may arrange for the boy to go to his stepfather at New Norcia.

(Signed E. Copping, 22nd February 1926, Department of Native Affairs, Personal File: 539/26).

This request is then communicated to the York police<sup>170</sup>. Meanwhile, Charles continues to express his ongoing concern over his stepson in another letter, this time to Mr. Fred Aldrich<sup>171</sup>:

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<sup>170</sup> As it noted earlier in this chapter, the role of the police in the events referred to here typifies the *modus operandi* in all matters Aboriginal at the time.

<sup>171</sup> Mr. Fred Aldrich replaced Gale as Chief Inspector of Fisheries in 1911. According to Haebich,

Just to ask you about that boy William Shaw; have you any difficulty in getting him; let me know, if you can get hold of him send him to the settlement until I see him myself; please let me know soon has possible about him for his sisters is worrying over him.

(Signed Charles Fitzgerald, 15th March 1926, New Norcia, Personal File: 539/26).

In relation to young William Shaw, Constable J. Clayton files the following report back to his superior, Sergeant Smith:

... I have to report having made enquiries re the whereabouts of Mr. Shaw. He is working for Blurtons (half-castes) clearing for Mr. Warren Barwick at Doodenanning, about 29 miles from York. I am well informed that the boy is happy and contented [sic], working for Blurton. He is well fed and clothed and he does not wish to return to his step-father as he is frightened of him.

Constable Hagger can report on the character of Wm. Shaw's step-father.

I would suggest that a report be obtained from Const. Hagger and forwarded to the Aborigines Department showing the present position of the boy.

Blurton is well known in the Greenhills district and is always well supplied with clearing work.

(Signed Jas. Clayton, p.c. 992, York, 9th March 1926, Department of Native Affairs, Personal File: 539/26).

Following a request from the Commissioner of Police, Inspector Houlahan, Constable Hagger tenders the following statement, which appears to further question Charles's ability as a sole parent:

I respectfully report that Shaw's step-father is well known to me for some time past, he is very strange in his mind. On the 5th January, 1926, he

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"Aborigines were of secondary importance to his other area of responsibility, fisheries, and he left most of the work to the Secretary of the Aborigines Department, Ernest E. Copping ..." (1988: 189).

was charged with being of unsound mind and was discharged the same day, and he was suffering from epileptic fits.

I would not recommend William Shaw, halfcaste, to go back to his stepfather. I am certain the boy will be looked after whilst he is working for Blurtons.

(Signed Edward C. Hagger, Const. 1262, York, 10th March 1926, Department of Native Affairs, Personal File 539/26).

This, in turn, prompts the Department to contact his grandfather, John Blurton, requesting that he go to York. John is unable to respond to this request, failing to see any basis for concern:

I am very sorry as I cannot come down to York just yet to see you about my nephew, young Willy Shaw. I cannot understand what all the trouble is about as I think the boy is very well behaved, anyway the man, Charlie Fitzgerald, was very annoyed when he was working for me hear [sic] not much notice should be taken of him, as we think he goes off in mad fits any time, and not safe in my camp. Anyway if you could arrange a date for me to see you later I will come down ... Dear Sir the boy is very much upset at present and the sooner we get word the better for everyone as he seems quite satisfied with me.

(Signed J. Blurton, 9 March 1926, in Department of Native Affairs, Personal File: 539/26).

The Deputy Chief Protector, Mr. Aldrich, decided that:

... In the circumstances it does not appear in the best interests of the boy that he be returned to his stepfather

(Signed F. Aldrich, Deputy Chief Protector of Aborigines, 19 March 1926, Department of Native Affairs, Personal File: 539/26).

It would be unfair to apportion all the blame for problems in Aboriginal families and communities generally, and the Shaw family in particular, on to the *Department of Native*

*Affairs*. In the case of Charles Fitzgerald, for example, an emerging impression is that he may not have been emotionally qualified for the difficult task of a lone stepfather. He was duly notified of Aldrich's decision, and I cannot help thinking that in view of the information gleaned from these government files, it was the right decision. It must be remembered, however, that most reporting on Aboriginal people at this time by the Department, the police, and those in charge of missions or settlements, was generally biased.

In the following section, I contrast the lives of Charles Fitzgerald and Aunty Lily Shaw, by describing outcomes from their respective efforts to escape the oppressive legislation by applying for exemptions.

#### **4.7 Charles Fitzgerald, Aunty Lily May Shaw, and Citizenship**

In this section, I identify the reasons why some Aboriginal people in the past, either denied or concealed their identity<sup>172</sup>. I show that through my ancestral research, evidence emerges to support this claim. I do this by focusing on the procedures followed by the *Native Affairs Department*, in relation to the applications for citizenship by Charles Fitzgerald, and our Aunty Lily May (sister to our mother). By placing the stories of Charles Fitzgerald and Aunty Lily together, I am able to exemplify how legislation rewarded people, like Aunty Lily May who 'behaved' as the legislators wanted, and penalised people like Charles, who did not always conform<sup>173</sup>. These stories show how people were manipulated into denying

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<sup>172</sup> "... the promise of a life free from the constraints of the 1905 Act led some applicants to deny their Aboriginal background altogether" (Haebich: 1988: 126).

<sup>173</sup> I have discovered that the amount of information recorded by the Department is usually proportionate to a person's lack of conformity. In Charles Fitzgerald's case, for example, five separate files existed: *Aborigines and Fisheries*: File 1803/20, File 2225/20, Colonial Secretary's Office, *Aborigines Department*: File 297/21, *Department of Native Affairs*: File 539/26, File 79/36 and *Native Welfare Department*: File 175/47. For Aunty Lily, on the other hand, only a small file comprising of a few pages of notes could be located.

their identity and their families, to prove to the government that they were worthy members of society.

Those Western Australian Aboriginal people<sup>174</sup> who wanted to escape the shackles of the *1905 Aborigines Protection Act*, had to apply to the Chief Protector for a ‘Certificate of Exemption’<sup>175</sup>. For such a certificate to be granted, it was necessary for the applicant to deny their Aboriginality and sever ties with extended family members and friends. Charles Fitzgerald<sup>176</sup>, for example, initially wrote to the Chief Protector, attempting to convince him that he was a worthy recipient of the Certificate of Exemption:

I am writing you this few lines to let you know could you give me a permit or exemption card. I wish to keep away from native company.

(Department of Native Affairs: Half-Caste Fitzgerald Family (Late Shaw Family), September 7 1933, Personal File: 539/26).

Charles Fitzgerald was denied exemption three times, despite his apparent willingness to turn away from other Nyoongar people. The reason given for the refusal each time was because he ‘lives as a native and is married to a half-caste’ (17 August 1933, 22 December 1933, *Department of Native Affairs*, Charles Fitzgerald, Personal File: 539/26). Undaunted, Charles made further attempts at exemption. In one of these attempts he tries to clarify an alleged misunderstanding by the Department, in classing him as a ‘half-caste’:

... And now I am to let you know that I am classed as a half-caste on account that my Father and Mother were working at New Norcia. And they put me in the orphanage for schooling because there was no other

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<sup>174</sup> I am referring specifically to those Aboriginal people belonging to the southwestern area of Western Australia, generically identified as the Nyoongar nation.

<sup>175</sup> On 9<sup>th</sup> March 1928, William Harris led the first deputation of Aborigines to meet with Western Australian Premier, Phillip Collier. Haebich records this as the first organised protest by Nyoongar people. Their protest addressed the oppressive treatment of Aborigines and the discrimination they experienced from white members of the larger community (1988: 274).

<sup>176</sup> As explained earlier, Charles Fitzgerald is a relation-in-law, not a blood relation.

school near. They plased [sic] me in school as a border and not as an orphan. I was not Fatherless or Motherless child ...

(Signed Charles Fitzgerald, 7 August 1933 in Department of Native Affairs: Half-Caste Fitzgerald Family (Late Shaw Family), Personal File: 539/26).

The Chief Protector indicated his position by writing across Charles' letter of application, "I do not consider this man a suitable subject for exemption" (A. O. N. *Native Welfare Department: Charlie Fitzgerald*, Personal File 175/47). It is not until 24 March 1938, thirteen years later, that Charles Fitzgerald was eventually successful in obtaining a Certificate of Exemption. In the meantime, he had no choice other than to resign himself to a life of continuing legislative control, dispossession, and disempowerment.

One of Charles' stepchildren, Lily May, on the other hand, had more success with her application for citizenship. This is due largely to her apparent compliance with the standards set by the authorities, combined with the education she had received at the New Norcia Mission<sup>177</sup>, and the support of employers. When an Aboriginal person made an application for exemption, the Commissioner was required to compile a written report on the applicant. I have reproduced some of the questions contained in this report here, emphasising those sections where the applicant was asked to deny their Aboriginality:

Q7. Has the applicant dissolved tribal and native association for two years (Emphasis mine), except with respect to lineal descendants or native relations of the first degree?

Q8. Has the applicant adopted the manner and habits of civilised life? (Emphasis mine) If so, for how long to your knowledge?

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<sup>177</sup> "The few granted exemption were generally the more educated who were best placed to articulate their grievances to the white community" (Haebich: 1988, 126). In his personal report, Commissioner Middleton acknowledged the "excellent education" Lily May had received at New Norcia (File 1227/46).

Q10. Does the applicant live according to white standards? (Emphasis mine)

Q15. Does the applicant consort with natives? (Emphasis mine)

Q16. Does the applicant visit the camps of native relatives, or do the relatives visit them? (Emphasis mine)

(Native Welfare Department, File: 1227/46)

The initial Application Form completed, the applicant was then required to submit her/his application to the Clerk of Petty Sessions, Perth, but not before signing a Statutory Declaration. Applicants were asked in this document to identify themselves as Aboriginal, but at the same time, they were also asked to declare their willingness to abandon that identity and replace it with a white identity:

I am a native within the Native Administration Act (1905 – 1941) and I wish to become a citizen of the State of Western Australia in accordance with the provisions of the Natives (Citizenship Rights) Act, 1944.

(Department of Native Welfare: Lily May Shaw, Personal File: 1227/46).

The applicant was to further state that she/he for two years prior to the date of their application:

... has dissolved tribal and native association (Emphasis mine) except with respect to lineal descendants of the first degree.

Finally, the applicant is asked to identify her/himself as:

... being of good character and industrious habits I am a fit and proper person to obtain a Certificate of Citizenship.

(Department of Native Welfare: Lily May Shaw, Personal File: 1227/46).

The Commissioner of Native Affairs, S. G. Middleton<sup>178</sup>, compiled a final report, outlining the ‘Personal History’ of the applicant. The following extract from Lily May’s report, is of particular interest insofar as it reveals something of the standards required by the Department:

... Lily, accompanied by Mrs. Connor, called at the Department during 1947 and enquired about Citizenship. Lily was a particularly nice type of girl, nicely dressed and mannered and impressive as the type suitable for citizenship (Emphasis mine) ...

(Signed S. G. Middleton, Commissioner of Native Affairs, 19 November 1948, Department of Native Welfare: File 12227/46).

Once completed, all the relevant documents were handed to a Magistrate in the Court of Petty Sessions, Perth. The applicant then waited for his final decision on the outcome. The *Department of Native Welfare* then relayed this decision to the applicant. In Lily May’s case, the Magistrate’s decision made in her favour was duly conveyed to her by Commissioner Middleton.

In a letter to Mr. Middleton three years later, however, Lily May reveals the reasons why she applied for citizenship in the first place:

... I was forced to apply for citizen right just because I was put down as slightly coloured. My step-father Charles Fitzgerald said I had no rights to take it as I am just like a white lady ...

(Signed Miss L. Shaw 15<sup>th</sup> January 1951, *Department of Native Welfare*, Personal File: Lily Shaw, File:1227/46).

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<sup>178</sup> S. G. Middleton was appointed Director of Native Affairs in Western Australia in 1948, replacing F. Bray (Deputy Chief Protector), who retired due to ill health (Haebich: 2000, 628, Jacobs: 1990, 215, 271-273).



One of the people directly responsible for “putting Aboriginal people down” because they were “slightly coloured”, was Dr. Cecil Bryan. The following is taken from his submission to the *Moseley Royal Commission* in 1934:

Whether the black man ever wishes he had been born white may be a matter for argument, but there is no argument ... around the fact that every half-caste wishes he could get rid of the dash of colour within him ... By every artifice of which he is capable he tries to pass himself off as a full-blooded white, and the reason is obvious. As a known half-caste he is scorned by both whites and blacks ... Of all the outcasts in the world, of all the pariahs and untouchables, the half-caste fares the worst (Western Australian Government 1934: 358, in Haebich: 2000: 275).

For Chief Protector Neville, implicit in the use of the term ‘colour’ was the understanding “... of an ascending scale, towards the pale end of the spectrum” (Jacobs: 1990: 189). Of the ‘quadroon’ and ‘octoroon’ he argued that:

... these are scarcely distinguishable from the white. Many are handsome, even beautiful, gentle soft-voiced girls, speaking perfectly enunciated, if somewhat abbreviated English (West Australian, July 3 1930 in Jacobs: 1990: 193).

Neville was passionate in his belief that children of mixed descent should be cut off from their Aboriginal roots, and trained in institutions overseen by his Department (Haebich: 1988: 266). Chief Protector Bray, appointed in 1942, argued that half-caste children had to be separated from other Aborigines because:

Their welfare is at stake and it is against our policy to allow them to live with the blacks. Their colour entitles them to special consideration, and they must be given the opportunity of a better life under civilised conditions ... (Western Australian State Archives 993/1025/1940, cited in Haebich: 2000: 268).

A third category included those Aborigines who were considered to be of a suitable degree of civilisation. This qualified them for exemption. Finally, 'Quarter-castes' were intended to be excluded from all legislation (especially the *1905 Aborigines Protection Act*), but as Haebich points out, they were regarded as 'half-castes' more often than not (2000: 218 – 219).

Attempts at defining Aboriginal identity in Western Australia had their beginnings as far back as 1886. In this year The *Aborigines Protection Act*, for example, spoke of such distinctions as, 'Aboriginal Natives' (this included full blood Aborigines), and 'half-castes' (referred to the offspring of an Aboriginal parent and a non-Aboriginal parent of any racial background). 'Half-castes' were further classified into those 'who associated with 'Aboriginal natives' and those 'who did not associate with natives'. All 'half-caste' children under the age of sixteen, regardless of their lifestyle and associations, were included in this second category.

Despite being classed as a 'half-caste', Aunty Lily was more fortunate than some. Firstly, she had the support of employers:

Employer 1: This is to certify that Lily Shaw has been in my employ for ten months, and during that time has proved herself satisfactory in every way, she is truly honest and truthful and a very good living girl. She is a good worker and always willing and reliable.

(Signed N. Connor, in Department of Native Welfare, Personal File: 1227/46).

Employer 2: This is to certify that Lily Shaw was in my employ as a housemaid at the Hostel New Norcia for one year and ten months.

During that time she gave every satisfaction being a keen willing and very diligent worker. Lily is thoroughly honest and absolutely reliable and I have no hesitation in recommending her to anyone who would require her services. (Signed Olive G. Eaton, Department of Native Welfare, Personal File: 1227/46).

Records show that one of these employers even accompanied Lily May to the Department, to assist her with her application for exemption. Secondly, because her apparent willingness to be seen as a compliant type of Aborigine, she impressed the Commissioner, thereby gaining his support.

Having fulfilled all the requirements set down by the authorities, and in spite of her status as a ‘native in law’, within two years she was granted Citizenship on the 25<sup>th</sup> November 1948, the year of my birth<sup>179</sup>. Her aspirations realised, our Aunty Lily could take her place in white society as an equal – at least that was the theory<sup>180</sup>. Like Daisy Corunna in Sally Morgan’s *My Place* (2002), the prize was won at a cost – the cost of compromise and subservience. I wonder if Aunty Lily later found herself asking a similar question to that of Daisy Corunna in *My Place*:

Fancy, me thinkin’ that. What was wrong with my own people? (Morgan: 2002: 336).

Stan Grant’s reflection on Aboriginal identity provides a fitting summary to the link between exemption and identity:

The promise of ‘absorption into the Commonwealth of Australia’ was a clarion call for barely black people who felt that was where they belonged anyway. Aboriginal reserves became training grounds where blacks could be taught how to be white. For those who made the grade there was the promise of town housing, the opportunity to sip tea with white neighbours. Some blacks could even apply for exemption certificates – or

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<sup>179</sup> Sadly, we would never meet. I have had to rely on information provided by government files, and what other family members could tell me about her.

<sup>180</sup> “Neville remained convinced that exemptions were a “valued privilege [to be] granted only to the really deserving” and rather than extending the practice of issuing exemptions as had been intended by the framers of the 1936 Bill, he maintained the existing rigid system. Thus, virtually all persons of Aboriginal descent, regardless of their life-style or standing in the community, remained trapped in the web of discriminatory legislation and Department controls.” (Annual Report of the Aborigines Department, in Haebich: 1988: 352).

‘dog tags’ – which meant they became honorary whites, able to claim social services benefits and even purchase alcohol. First, though, they had to prove they were civilized; they had to abandon those heathen tribal ways (Grant: 2002: 51).

In this chapter, I have given a voice to our Aboriginal grandfather, George Shaw, our Aboriginal grandfather-in-law, Charles Fitzgerald, and shown how authorities treated Aboriginal people, while compliance was rewarded, and any form of opposition was punished.

The stories of these ancestors can be considered in terms of Maslow’s Hierarchy of needs. In the early part of the twentieth century George Shaw and his family were in desperate circumstances. Their basic ‘Physiological’ needs for food and warmth caused George to appeal to the Chief Protector for assistance. He continued to argue for his rights for assistance and the need to reform the system of rations. This strong identification with others in a similar situation can be seen as his striving for higher ‘Esteem’. However, labeled a complainer and a malingerer by the authorities he was dependent upon, within the colonial social system reduced the level of assistance he received and also his ‘Esteem’.

The story of the removal of Charles Fitzgerald’s stepchildren demonstrates his dependence on the assistance of the Chief protector and co-operation of the police and other authorities. These children seem to have had adequate food and shelter to satisfy their ‘Physiological’ needs, but through this process their ‘Psychological and Safety’ requirements were threatened. Charles sought a ‘Certificate of Exemption’ through the *Aborigine’s Act* to achieve practical and social benefits. However, this can be seen as perhaps being at the price of denying, at least in part, his Aboriginality. Similarly, for Lily Shaw, this action may have reduced their capacity for ‘Self-esteem’ and ‘Self-

actualisation’. In the following chapter, I continue my ancestral research by focusing on our mother, Ruby Shaw.

## Chapter Five

### *Ancestral History: Ngan-nul-uk Ngun-ga*<sup>181</sup>

#### 5.1 Introduction

In this chapter, I describe the employment history of our mother by identifying the various locations throughout the state of Western Australia where the *Department of Native Affairs*<sup>182</sup> assigned her to work. I do this to exemplify how governmental control over her life rendered her vulnerable through a process of disempowerment and dispossession. While this Department made it physically impossible for to care for her children, it then accuses her of neglecting her children. Such Departmental actions give expression to the underlying thinking of the time, namely Social Darwinism.

#### 5.2 Social Darwinism

A form of Social Darwinism,<sup>183</sup> a widely held belief throughout the nineteenth and twentieth centuries, maintained that Australian Aborigines were among the least evolved

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<sup>181</sup> ‘Ngan-nul-uk ngun-ga’ is Nyoongar for ‘our mother’. As far possible, throughout this work, Ruby Shaw will be referred to as ‘our mother’ in keeping with cultural protocols relating to deceased persons. While this has not been strictly adhered to in relation to other family members, this allows me to honour her in a special way.

<sup>182</sup> In the course of 1936, the *Native Administration Bill* was passed. This led to the renaming of the Department as the *Department of Native Affairs* and the Chief Protector became known as the Commissioner of Native Affairs (Haebich: 1988: 345).

<sup>183</sup> Haebich identifies Social Darwinism as dominating settler attitudes towards Aborigines from 1870, and persisting into the twentieth century. This pseudo-scientific theory “... postulated that Aborigines were the least evolved race in the world and as such they were doomed to pass away” (Haebich: 1988: 47).

races in the world, and as such were doomed to pass away (Haebich, 1992: 47). Appreciating Social Darwinism enables us to get into the minds of those responsible for endorsing past legislation such as the *Aborigines Protection Act 1905*. Tracing the life of our mother as a ‘departmental trainee’ reveals how this legislation impacted on her life, and provides a window into the lives of many other Nyoongar women of her time.

Initially, the intention behind the *1905 Aborigines Protection Act* was to address existing abuses against Aboriginal people in the North-West of Western Australia, but for the Nyoongar people of the South-West of Western Australia, it opened the door to new abuses. Policies contained within this legislation, attempted to strip Nyoongar people of their independence and autonomy, resulting in material and spiritual impoverishment, thereby reinforcing their vulnerability as a people. This Act effectively enshrined Social Darwinism in WA government policy.

### 5.3 Early years

Under the control of the *Department of Native Affairs*, our mother was required to travel the state and carry out any work assigned to her<sup>184</sup>. The Department initially assigned her to Mt. Magnet in the northeast of Western Australia<sup>185</sup>, then to Koorda<sup>186</sup>, Mukinbudin<sup>187</sup>, Beverley<sup>188</sup>, Barbalyn Siding (all locations in the central-eastern wheat-belt of Western

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<sup>184</sup> Like many African women, Nyoongar women were defined by what they did (Cf. Lorde, Audre. *Zami – a new spelling of my name*, 1982: 9)

<sup>185</sup> However, this assignment never eventuated as someone else was mistakenly sent in her place. The only other reference to this assignment is found in a communication from Mr. Neal (Superintendent of Moore River Native Settlement) to Mr. Neville, expressing his surprise at the sudden change and informing the Chief Protector that he had no knowledge of the change. No other related information can be found in the files to explain reasons why the change occurred.

<sup>186</sup> Koorda is 236 kms east of Perth

<sup>187</sup> Mukinbudin is 293 kms east of Perth (<http://www.mukinbudin.wa.gov> Accessed: 12 November 2009).

<sup>188</sup> Beverley is located in the Wheat-belt region of Western Australia approximately 130 kms southeast of Perth, between York and Brookton.

Australia), Kojonup<sup>189</sup> and Bridgetown<sup>190</sup> (in the south of the state). Other places of employment included Yarrabube Station, Nannine (near Yalgoo which is located in the Murchison region, 499 km north-north-east of Perth), and finally she was permitted to return to Perth, where she worked in Melville, a suburb of Perth. Even from this summary of our mother's employment history, the difficulty of rearing children can soon be realised<sup>191</sup>.

In an attempt to secure the services of our mother, Mrs. J. B. Elliott of Watheroo (a town in the central wheat-belt of Western Australia), wrote to Mr. Neville, informing him that:

There is a half caste girl, Ruby Shaw, aged 15 years living in a camp at Watheroo.

At present she is sleeping in a small camp of one room with her step-father and his wife. She does not like the camp life, and is continually asking if we will have her to work for us. Her step-father, however, will not let her come. He keeps her there to carry water from the stand by and do odd jobs about the Town.

We could not afford to pay the girl wages, but would give her a good home, clothes and pocket money.

I would be pleased if you would let me know if I can let the girl come without her step-father's consent.

(Signed Mrs. J. B. Elliott, Watheroo, Department of Native Affairs, Personal File: Ruby Shaw, 360/33).

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<sup>189</sup> Kojonup is approximately 250 kms from Perth (<http://www.kojonup.wa.gov> Accessed: 12 November 2009).

<sup>190</sup> Bridgetown is approximately 270 kms south of Perth.

<sup>191</sup> Once again, it must be stressed that our mother's experiences provide a window into the lives of many other Nyoongar women at the time.

Our mother commenced work for Mrs. Elliott, but after a short time her stepfather Charles Fitzgerald intervened. According to Local Protector John Kevan, he:

... came and took Ruby away back to Watheroo, and they are living in a humpy at the township end and from reports received they are being visited by some white men.

(Signed John A. Kevan, PC 1019, Moora Police Station, Department of Native Affairs, Personal File: Ruby Shaw, 360/33).

The Chief Protector now aware of our mother and her sister's situation decided that the care of their stepfather and his new wife was inadequate. The Department decided to return both of them to the Moore River Native Settlement. Like most other Aboriginal people placed there<sup>192</sup>, neither of them was happy about having to return to the Settlement, and they made repeated attempts to escape from its harshness. This is seen, for example, in our mother's appeal to the Chief Protector, Mr. Neville:

I am writing to ask you if you will be so kind as to get me work you know I wasn't sent here for anything I was only taken away from my stepparents and Mr Kevin told me the day I came here that I wont [sic] be here long only for a fortnight ... Also my sister Maggie, she would like you to tell her why she is here and find her a place ... Well dear sir we do hope to hear from you soon.

(Signed Ruby Shaw, 4 January 1933, Department of Native Affairs, Personal File: Ruby Shaw, 360/33).

Our mother spent thirteen months at Moore River before the Chief Protector notified her of a placement. In a letter of notification to the Superintendent at Moore River he wrote:

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<sup>192</sup> Children were placed there from communities throughout the state of Western Australia.



I have to advise you that Miss Mansell<sup>193</sup> called here during the week to endeavour to secure a girl for service at Narndee Station, Mount Magnet ...

(Signed A. O. Neville, Chief Protector of Aborigines, 3 January 1934, Department of Native Affairs, Personal File: Ruby Shaw 360/33).

To her prospective employer he wrote:

Miss Mansell,

I shall be glad if you can now let me know when you will be requiring the services of Ruby Shaw, who is being held at the Moore River Native Settlement for you.

(Signed A. O. Neville, Chief Protector of Aborigines, Department of Native Affairs, 8th February 1934, Personal File: Ruby Shaw, 360/33).

And finally to our mother:

In reply to your letter of 30th. December last I have to advise you that a position has been found for you, but you are not required to commence work until some time next month. The Superintendent will advise you when arrangements are made for you to go to your position.

(Signed A. O. Neville, Chief Protector of Aborigines, Department of Native Affairs, 9 January 1934).

Like the first assignment, this placement never eventuated. An office memo suggests that another person was sent instead, but again offers no reason why our mother did not go. Eventually, our mother's time at the Moore River Native Settlement 'awaiting collection' ended, and she could finally begin her life as an employed person. In an ideal world, employment should provide a person with a sense of dignity, independence, and the opportunity to develop a sense of self-reliance moving towards 'Self-actualisation' at the

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<sup>193</sup> Miss Mansell was the daughter of Dr. Mansell who resided at New Norcia (*Department of Native Affairs*, Personal File: Ruby Shaw 360/33).

peak of Maslow's Hierarchy of Needs. For our mother, and hundreds of other Nyoongar people, it meant the opposite.

It was 1934, and our mother was sixteen years of age, when she was transferred from Moore River to work at Koorda (in the eastern wheat belt of Western Australia). The information contained in our mother's files relating to this phase of her life consist mainly of a series of communications between her, her employers, and the Chief Protector, over permits for employment, payment of wages to the Department, and holiday arrangements. Among these letters, our mother's prospective employer writes to Mr. Neville, objecting to having to pay train fares for Aboriginal employees, traveling from Moore River to their place of employment:

... You appear to try and put the half castes on a better footing than the white girls and men, so far I have not yet had to pay fares to white employees ...

(Signed C. A. Henning, 24 May 1934, Department of Native Affairs, Personal File: Ruby Shaw 360/33).

At one point, our mother complains of having back and neck pain. It is serious enough for her to think about seeing a doctor. To do this, however, she needed money from her account, so she writes to Mr. Neville requesting "fifteen shillings". At the same time as submitting her request she inquires after her sister, Maggie, informing the Chief Protector that there is work available nearby, and that she would love to have her sister near to her as "we love each other very much". Mr. Neville's reply reveals the extent of his control over people's lives:

I received your letter, undated, asking for 15/-d. with which to pay a Doctor whom you wish to see.

I am not sending the fifteen shillings but please do not hesitate to see the Doctor who in turn can send the account for attending you direct to me to be charged against your bank account. It may be that you will require some little treatment and the cost may be more or less.

Your sister Maggie has gone to Mrs. Hodgson, Wyalkatchem, and is therefore not very far away from you. She was with Mrs. Neville for about a week before she left and did very well.

I am sorry to hear you have not been well, but a visit to the Doctor should put matters right.

(Signed A. O. Neville, Chief Protector of Aborigines, Department of Native Affairs, 26 April 1935, Personal File: Ruby Shaw 360/33).

Under the *Aborigines Act 1905*, all Nyoongar women and men were accountable to the Chief Protector. From Mr. Neville considered this point of view as central to being an effective Protector. When our mother wanted to leave her place of employment at Koorda, therefore, it was necessary for her to firstly inform the Chief Protector of her intentions. It was part of his role to then find her another placement, which he did. Her next assignment took her to Bridgetown, in the southwestern area of Western Australia. This period of her working life proved to be highly significant, for a variety of reasons including health concerns, a growing discontent with her role as a servant, affairs of the heart and allegations of stealing.

While at Bridgetown, she needed to ask Mr. Neville if she could get a filling for one of her teeth. She even dared to ask for a gold filling! Along with this request was the radical proposal that her employer pay the dentist out of her wages, instead of having to go through the Department:

... could you let Mrs. Bagshaw pay the dentist out from my wages and suppose it would keep you out from taking your trouble in writing so if you think that's suitable for yourself write and tell Mrs. Bagshaw.

(Signed Ruby Shaw, 11 November 1935, Department of Native Affairs, Personal File: Ruby Shaw 360/33).

I sense that our mother was aware that she was testing the boundaries of the existing controls, because in her concluding remarks she added, “Well dear sir hope this letter wont [sic] displease you ...” I identify this as another example of her attempt to become more independent and self-determining.<sup>194</sup>

#### **5.4 Affairs of the heart**

There are no records indicating whether our mother made it to the dentist and if she did, whether she was successful in getting a gold filling. This is because soon after writing this latest letter, she was stricken with appendicitis. This led to an unexpected hospitalisation, followed by a week of recuperation. Once recovered, however, she returned to work – and to her private campaigning. In a subsequent letter to Mr. Neville, for example, in addition to her usual request for clothing, she asked for a review of her wages. At this point in her young life, she was working at two places, one in the mornings, and another for the remainder of the day<sup>195</sup>. The tone of her growing dissatisfaction with wages is evidenced by the tone of this letter to the Chief Protector:

... there is plenty of other places to work for where we can get much more wages so if things dosent [sic] improve I wont [sic] work on although I just simply hate changing about to here and there my shoes are worn out walking up and down so I would like you to send me these things I am going to order ...

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<sup>194</sup> Other examples of attempts at ‘self-determination’ are seen in the lives of her own parents and her grandparents, as described in the previous chapter relating to Mary Ann Chuberan, John Blurton, and George Shaw.

<sup>195</sup> Our mother mentions working with her sister Maggie at the second place. This would indicate that Mr. Neville had granted at least one of her wishes.

In this same letter, amid requesting shoes, clothing and soap, our mother sounds Mr. Neville out about his attitude to the possibility of her entering into a relationship:

... also Mr Nevil [sic] supposing I had a boy down this way and he thought so much of me to marry him how can I do that I don't like to tell anyone I am under the aborigines department not because I have anything against you no Mr Nevil but I don't claim myself as a half caste girl because no one knows it only if I told them and still and all no one believes me so there Mr Nevil I have no intention of mixing with any coloured girl or any dark people as if you will be so good to me when I find a nice boy that really wants me and care to marry me will you give me the permission to get married without he knowing I am a half caste if you would do that I would never forget your goodness you see Mr Nevil if I liked to be nasty I would do some nasty things but no Mr Nevil I will not dare do anything like that because I do think you are good to us in lots of way so what ever pleases you I will be waiting anxiously ...

(Signed Ruby Shaw, 17 February 1936, Department of Native Affairs, Personal File: Ruby Shaw 360/33).

This image is evocative of any young girl sounding her father out about the prospect of having a boy-friend<sup>196</sup>. In this situation, however, there is the additional issue of race. Mr. Neville's response is recorded in the following memo to his secretary, Miss Stitfold:

It seems to me that Ruby Shaw simply wants a little humouring. If she has the money with which to purchase these things, then I think we ought to do what we can to help her. On the contrary, there is the hospital to be paid the fee of ten guineas, though the account herewith is one for the operation and not the hospital.

I think it reasonable that the girl should ask for 10/-d. a week. She has been drawing 7/6d. since she went to Mrs. Bagshaw, I think in October last. Would you please advise me in the matter. I will write to Ruby in respect to the other matter mentioned in her letter when you reply.

(Initialed A. O. N. 25 February 1936, Department of Native Affairs, Personal File: Ruby Shaw, 360/33).

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<sup>196</sup> This resonates with a statement reported in the then local Perth newspaper, *The Daily News*: "The Aborigines Department with its Chief Protector, A.O Neville at its head has become the mother and father to some thousands of full-blooded and half-caste natives" (in Jacobs: 1990: 164).

This memo is interesting in two respects. Firstly, it reveals that Mr. Neville is disposed toward offering assistance wherever he can. Secondly, his benign (albeit paternalistic) attitude is further enhanced by what appears to be a sincere concern, as is demonstrated in the tone of his response to her enquiry about the possibility of marriage:

Referring to your letter of the 17th February, in the first place I am sorry not to have answered it before, but it has been necessary to look into your affairs and it has been difficult to come to any decision in the matter besides which I have been away from Perth.

I am going to let you have the things you ask for, although you have no money at present to meet the cost. I take it, however, that these will render you more satisfied, and you can pay for the goods gradually out of your wages in the usual way.

As to the increase in wages, I have an idea that this would be justified, and will look into it further. I do not want you to change your position, as I think you are well placed and your mistress likes you and you might do very much worse elsewhere, in addition to the cost of traveling.

Regarding other matters in your letter, I think it would be best for me to talk things over with you when I next see you, and as I may possibly be in the Bridgetown District before very long I will give Mrs. Bagshaw a call, and will no doubt be able to see you.

(Signed A. O. Neville, Chief Protector of Aborigines, Department of Native Affairs, 6 March 1936, Personal File: Ruby Shaw, 360/33).

This is one example of Mr. Neville being ‘mother and father’ to Aboriginal people. The way Mr. Neville went about dealing with the issues and concerns presented to him by our mother reveal, to some extent, an element of genuine concern<sup>197</sup>. However, these qualities are overshadowed by his paternalism, indicated by his condescending intention to

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<sup>197</sup> This contrasts with other impressions of Mr. Neville. Jack McPhee, in Sally Morgan’s *wanamurraganya* for example, does not know “... how he got the job because I don’t think he liked Aboriginal people” (Morgan: 1989: 94). I have presented him as he appears in the records relating to my family. Other family members may not choose this approach.

'humour' her. Such paternalism was a fundamental factor in both Mr. Neville's approach to Aboriginal people, and was a general feature of the wider white society at that time. Nevertheless, our mother responds positively to Mr. Neville:

Thanks ever so much for the nice letter you sent me and I thank you Sir very much to be so good as to let me have the things I ordered for I thank you once more.

dear Sir I am very pleased you are going to call down our way which I will look forward to, yes Sir it would be much more advisable for you to talk things over with me personal and then we will know what we are doing, very well Sir I will look out for you and I will also now thanking you very much for all what you have done for me.

I will say good bye I remain your true faithful child.

(Signed Ruby Shaw, 11 March 1936, Department of Native Affairs, Personal File: Ruby Shaw 360/33).

The subservient yet satisfied tone of her letter indicates a sense of gratitude towards Mr. Neville. In this instance, she gives the impression that Neville has listened to her and understood. On the other hand, her friend is not as understanding, especially on the matter of Aboriginality. The tone of another letter sent to her from another Nyoongar woman<sup>198</sup>, admonishing her for attempting to deny her Aboriginality, stands in contrast to the tone of Mr. Neville's letter. I am including it here because it goes to the heart of the issue of Aboriginal identity, and conveys something of the intrinsic value of it in the lives of Aboriginal people:

'To the girl who thinks she is white but inwardly BLACK':

... Ive [sic] never known such cheak [sic] you writing me such a letter. I will never forgive you. Ive known your family all my life even when you

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<sup>198</sup> Her name has been erased from the file. It is reasonable to assume that our mother was a close friend to this person, having shared the same concerns with her as she expressed to Mr. Neville.

used to live in a dirty camp you also lived at the Moore River Native Settlement before you came to New Norcia which was too good for you ... I wont forget to tell the rest of girls around here that you think your white. Ive got a girl cousin coming to work for Mrs. Bagshaw shes [sic] just over the line from us this girl is just as white as you if not whiter and if she sticks her nose up at me I will pull her eyes out. She has also lived in a house all her life at Fremantle with her mother and not under Mr Neville like you are you neednt [sic] worry everybody in Bridgetown knows you're a half-caste coming from Mr Neville If they don't know I will tell them.

(13 March 1936, Department of Native Affairs, Personal File: Ruby Shaw 360/33).<sup>199</sup>

Confused by the confrontational tone of her friend's letter, our mother turns to her 'father' for comfort, understanding and advice:

... Sir I have only written to (name erased from file) explaining and telling her that ... I wanted to make myself known to a nice boy who I may get permission from you to marry ... I know dear Sir you will help me in all my troubles as I wish to remain a true girl of yours and I want to always think you are my proctor and guardian so I am always willing to tell you all my troubles because ... and just because I made friends with all white girls around here shes [sic] nasty ...

(Signed Ruby Shaw, March 1936, Department of Native Affairs, Personal File: Ruby Shaw 360/33).

Mr. Neville responds:

... While I am surprised that these girls should have written to you as they did, particularly (name erased from file). I must confess that I think you have rather brought the trouble on yourself. However, the names of some of the persons mentioned in your communications are unfamiliar to me. Who, for instance, are Frank, Harold, and Victor? Also what is the name of the girl cousin referred to by Lucy and Dora, who is going to work for Mrs. Wright?

I am still hoping to get down to see you in the near future and when I do I hope I shall be able to straighten all these little troubles out. You know,

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<sup>199</sup> This bears a direct connection to the childhood recollection I described in the previous chapter.



Ruby, you cannot help the fact that you have coloured blood in you but, all the same, there is nothing in that to be ashamed of and it would be far better to let anyone interested know just who you are.

(Signed A. O. Neville, Chief Protector of Aborigines, 25 March 1936, Department of Native Affairs, Personal File: Ruby Shaw 360/33).

A lengthy memo to his secretary Miss Stitfold provides a written record of his subsequent action. It suggests that Mr. Neville had taken seriously our mother's concerns:

When at Bridgetown on the 14th inst. I called at the Bagshaw's home where Maggie and Ruby Shaw are working ... it has been customary for ruby Shaw to attend in the day time upon Mrs. Bagshaw, junior ... I had a talk both to Maggie and Ruby Shaw, examined their sleeping quarters, and inquired as to their work, and left with the impression that they were very lucky to be in such a nice place. They were not by any means isolated, had their time off, occasionally went to Bridgetown, and there were several workers about the place who were apparently a decent crowd, besides apple workers specially engaged during the season.

I had a talk with Ruby about her love affairs. It seems that a young man who has proposed to her is working on the place, and his name is Stan Smith. He does not know that Ruby has any coloured blood in her ... he thinks it a shame she works with a coloured girl like Maggie. I urged Ruby to tell the truth that her father was white<sup>200</sup> and her mother a half-caste, because if he found it out after marriage he might leave her, and matters would be ten times worse ...

I spoke to Mrs. Bagshaw about raising Ruby's wages and she promptly agreed to give her 10/- per week instead of 7/6d. ...

Maggie Shaw said she was quite happy but Mrs. Bagshaw roused a bit sometime. Mrs. Bagshaw gives Maggie a splendid name but said that Ruby was insolent sometimes. Presumably there has been a "bust up" since a wire has come today saying that Ruby is leaving, in spite of the rise in wages.

(Initialed A. O. N. 19 May 1936, Department of Native Affairs, Personal File: Ruby Shaw 360/33).

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<sup>200</sup> This is incorrect. Her father was George Shaw, classified as a half-caste. See Chapter Four.

It is gratifying to read Mr. Neville's hand written comment on the side of this memo: 'Ruby says now that she has told Stan the truth' (Initialed A. O. N. 1936). It is gratifying, because it indicates that our mother had acknowledged her Aboriginality, and by so doing, was accepting her identity and that of her ancestors. In a letter to her employer, Mr. Neville further reveals his thoughts on this matter:

Ruby is no longer fussy about being considered a coloured girl, because she has told her swain, on my advice, exactly who she is, and he does not seem to mind.

(Signed A. O. Neville, Chief Protector of Aborigines, 19 May 1936, Department of Native Affairs, Personal File: Ruby Shaw 360/33).

On the one hand, the element of Mr. Neville's control over Aboriginal people is obvious, yet on the other, it is through his comprehensive and detailed records that I am able to trace these events in our mother's life, and indeed in the lives of our other ancestors.

### **5.5 Restlessness sets in**

Soon after Mr. Neville's visit to Bridgetown, a critical breakdown occurs between employer and employee. It begins with our mother's employer informing Mr. Neville that she is sending our mother back to Perth on the next available train because, "since your visit her manner has been intolerable and her insolence really dreadful". To make thing worse, her employer goes on to say, "This morning Maggie informed me she will have to go as she cannot live without Ruby; I told her she could not leave for at least a week – she seems bent on going tomorrow. I thought perhaps you could write to her and tell her how futile it is to follow Ruby" (19 May 1936, *Department of Native Affairs*, Personal File: Ruby Shaw 360/33). Mr. Neville expressed his surprise at the turn of events, but was "...

quite satisfied that nothing he did was calculated to upset them at all” (23 May 1936, *Department of Native Affairs*, Personal File: Ruby Shaw 360/33).

Another nearby Bridgetown employer of Aboriginal girls, Mrs. Wheatley offers an explanation to Mr. Neville for the clash between our mother and her employer<sup>201</sup>:

It’s the young man who is the trouble. Ruby is only anxious to get back to Bridgetown on account of him and it would be impossible to keep him away from the house and that is undesirable ... I understand Mrs. Bagshaw would have allowed her two girls Ruby and Maggie trips to town sometimes on late shopping nights and there Ruby met her admirer. I also hear ... that the young man gives her drink!

(Signed Molly D. Wheatley, 22 May 1936, *Department of Native Affairs*, Personal File: Ruby Shaw, 360/33).

Clearly, our mother was in love. Still a teenager and having grown up mainly in institutional environments, she would have been vulnerable insofar as she had no parental support or guidance, apart from Mr. Neville, to help her through this experience. The first love experience in anyone’s life can be a difficult and even traumatic time. It is a time when parents (or other appropriate role models) need to be there to support, guide, direct and encourage. If the suggestion that she had been introduced to alcohol at this same time is correct, then the ability to cope with such an emotionally charged situation is lessened, and her vulnerability increased. It is significant to note that this pinpoints the time when she began drinking alcohol. Meanwhile, Mr. Neville had the sad task of informing Maggie that her sister will not be returning to Bridgetown:

... I am sorry to say that Ruby will not be returning to Bridgetown as there appears to be no place available for her up there at present. I do

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<sup>201</sup> There is nothing in the records to indicate why Mrs. Wheatley becomes involved. I suggest that her letter to Mr. Neville be regarded as an expression of support towards her neighbour, Mrs. Bagshaw.

hope, however, that you will not give up what seems to be a suitable situation merely because you desire a change. I do not think you have been long enough in your position to warrant such a change ...

(Signed, A. O. Neville, Chief Protector of Aborigines, 25 May 1936, Department of Native Affairs, Personal File: Ruby Shaw 360/33).

Maggie's writes back to Mr. Neville in the hope she can see her sister before she is transferred elsewhere:

Just to let you know I wish to see my sister before she goes out again. I was sorry to hear she left this place. She was at Muckinbudin<sup>202</sup>. She didn't let me know why. I send a Telegram just to find out if she was with Matron at East Perth. You see she left her things here with me so I would like to give them to her ... I am not able to send them. I have very little money saved which I want for my holidays ... it would be better to send Ruby this way again. I don't mean to Bridgetown there is other places round about here.

(Signed Maggie Shaw, 4 August 1936, Department of Native Affairs, Personal File: Ruby Shaw 360/33).

By July of 1936, the affairs of the heart caused our mother to become restless again, and this prompts her Mukinbudin employer to submit the following report to Mr. Neville:

... She informs me she is satisfied with her work but she has some boy friend in the South West that she must see again ...

(Signed Mrs. Arthur Clamp, 29 July 1936, Department of Native Affairs, Personal File: Ruby Shaw 360/33).

Added to her existing difficulties, a police report submitted to Mr. Neville revealed:

... that the girl had left this place on two occasions during the period of her employment, and on the second occasion, her case was searched, and

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<sup>202</sup> A town situated within the northeastern wheat-belt of Western Australia, 296 kms north east of Perth.

clothing and other goods, the property of Mrs. Clamp, to the value of about ten pounds found therein ...

(Signed Name indecipherable, P.C. 1524, Nungarin Police, 10 August 1936, Department of Native Affairs, Personal File: Ruby Shaw 360/33).

As to be expected, Mr. Neville promptly acted on this report. To be able to go into the matter further with our mother and 'to prevent a repetition of such behaviour' he requested all the relevant details from her Muckinbudin employer (21 August 1936). He was subsequently provided with the following account:

... As you know Ruby tried to run away in the night about a week before she left here for Perth but owing to her cases and luggage being to [sic] heavy to carry three miles to Barbalyn Siding she came back leaving her luggage on the road. She told Mrs. Clamp in the morning and I bought home her luggage from where she had left it. On being asked why she tried to leave she said she wanted to go to her sister in the South West and had no complaints about her work here. Mrs. Clamp told her she could go when she wanted to. In the meantime, Mrs. Clamp did miss a few things from her wardrobe but did not accuse Ruby at this time but when leaving she asked Ruby to open her cases and was surprised to find about eight pounds worth of clothing and other articles packed in her cases. Ruby's excuse was that she wanted Mrs. Clamp to find them so she would send her away but I am sure she would have taken the things if not found. The girl was treated very good while in our employment and there was no excuses why she should abuse our trust ...

(Signed Mr. Arthur Clamp, 28 August 1936, Department of Native Affairs, Personal File: Ruby Shaw 360/33).

Our mother left Muckinbudin on 31<sup>st</sup> July 1936. Her next assignment was to Beverley, situated on the edge of the eastern wheat belt area of Western Australia, 130kms from Perth. From here, she writes to Mr. Neville with the ongoing request for clothes, but in addition, she asks if she could go to New Norcia to visit the nuns<sup>203</sup> and her sister, whom

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<sup>203</sup> Both our mother and her sister Maggie returned to New Norcia on several occasions to visit the

she hadn't seen for three or four years<sup>204</sup>. She then goes on to ask Mr. Neville if he had heard from "her boy" because she had not. Finally, right at the end of her letter, in small writing, she adds a postscript, "... if New Norcia doesn't suit you how about letting me go to Bridgetown ..." (21 September, 1936).

Mr. Neville writes to our mother asking her to again supply him with the name of her boy and where he was working, because, like any good father, he wanted "to get in touch with him" (13 October 1936). It was around this time that our mother began to show signs of a growing discontent with certain aspects of her life. This is clearly illustrated in the following letter to Mr. Neville:

... if you could kindly ask Mr. Miles if he could let one of the men carry the water for me (Emphasis hers) the water isent [sic] layed [sic] on in the house therefore I got to carry it a good away from the kitchen otherwise if that cant be done well I am leaving because I am not going to rip all my inside out for no Lady I worked one place till I just about pulled my inside out and I am not going to do it any more for no one

just because we got coloured Blood in us that we must work has slaves no I won slave myself for no woman or man. And I don't like my room it has no handle neither has a lock to it (Emphasis hers) and is pasted away from the house which dosent [sic] suit me at all also I am finding its to much work really a older girl wants to work here a strong girl so please see Mrs. Miles about it you can tell her what I said it may ease her a bit

(Signed Ruby Shaw 30 October 1936, Department of Native Affairs, Personal File: Ruby Shaw 360/33).

With her previous mood of submissiveness waning, our mother began to show signs of assertiveness. By the start of the following year (1937), while still in Beverley, she takes up a new assignment. In between these two Beverley placements, however, Mr. Neville allows her to go and visit her sister at New Norcia. To prevent her sister getting into any trouble

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Benedictine sisters. I understand that they held the sisters in high esteem.

<sup>204</sup> She is referring to Lily Shaw (See Chapter Four, Ancestral history).

over returning to Beverley late, Lilly May writes to Mr. Neville on her behalf, explaining that:

... I delayed my sister Ruby till Monday. I have not seen her four years back and the two days she had to have spent here are too short. So I hope nothing will happen when she arrives down. She is quite alright here with the good nuns and myself and the rest of children. So she will return to you just as she left you

Hope it won't disappoint [sic] the lady. She will be down in Perth on Monday nights train and if its possible ... she can go on to Beverly by Tuesday.

Please dear Sir will you pardon me on this affair I am sorry to interrupt you about but she will be back soon I can assure you.

(Signed Lilly Shaw, St. Joseph's Orphanage, New Norcia, 21 January 1937, Department of Native Affairs, Personal File: Ruby Shaw 360/33).

Aunty Lilly's request was ignored, as the following telegram, which arrived at New Norcia the following day, indicates:

YOU MUST RETURN PERTH TONIGHT ALL ARRANGEMENTS  
MADE MRS VALENTINE MEET YOU BEVERLEY TOMORROW  
DEPARTMENT OF NATIVE AFFAIRS

(22 January 1937, Department of Native Affairs, Personal File: Ruby Shaw 360/33).

According to Mr. Neville's carefully written records, our mother eventually left Perth for Beverley on the morning of the 26 January 1937; indicating that both sisters disregarded his demands.



Figure 12. Aunty Margaret (left) Our Mother (right) with Sister Mary, one of the Benedictine Sisters.

(This photo was taken on one of their regular visits to New Norcia)

Aboriginal women and men were not the only ones subjected to the control of the Department. The following provides an example of how white employers of Aboriginal people were also affected by the impact of the 1905 legislation:

I have to confirm the fact that the native girl Ruby Shaw left Perth by train on the morning of the 26th ult. for Beverley to enter your service.

Of the wages agreed upon, viz., 12/6d. per week, I shall be glad if you will please give Ruby 5/- per week as pocket money, obtaining her receipt to each weekly payment. Accounts will be rendered by the Accountant of this Department to cover the balance, which must be remitted monthly to this office to be banked in Trust for the girl.

Will you please make early application to the local Officer-in-Charge of Police for a permit to employ this girl, the annual fee for which is 5/-.

(Signed A. O. Neville, Commissioner of Native Affairs, 10 February 1937, Department of Native Affairs, Personal File: Ruby Shaw 360/33).

This extract is representative of the type of instructions that were handed out to white employers by the Department, each time they were offered the services of a Nyoongar girl or woman.



## 5.6 Loneliness and rebellion

By June of 1937, our mother writes to the Commissioner asking if she could “get full permission to have a situation in town” (meaning Perth). She complains that Beverley has become too lonely for her, “ ... there is no little children to play with no young people to speak to excepting the old lady of 72 it would be far better if she had some older I am sure if I stay here much longer I shall go off my head ... I feel very unhappy ... I want to leave here as soon as you give me the permission to” (Signed Ruby Shaw, 22 June 1937, *Department of Native Affairs*, Personal File: Ruby Shaw 360/33).

She receives an understanding response from Mr. Neville:

I am in receipt of your letter of the 22 inst., and note that you wish to leave your present position because you are lonely, which I very much regret to know. It is a pity to give up a good place, but I do not want you to be unhappy. If you decide that you really wish to leave Mrs. Valentine you must give her a week's notice. I have no objection to your securing another position in Beverley if it has the recommendation of Constable Rea, and in the event of your leaving Mrs. Valentine you should report to him.

(Signed A. O. Neville, Commissioner of Native Affairs, 25 June 1937, *Department of Native Affairs*, Personal File: Ruby Shaw 360/33).

Our mother remains firm in her decision to leave: “... when her mistress gets help”. In her letter to Mr. Neville, she continued to state her position, informing him that she is “... tired slaven [sic] out on farms all day ...” (undated). By August, she is still with the elderly white lady. With Constable Rea's help, however, she eventually finds another placement in

Beverley, but not before making yet another attempt to break free from the constraints of the Department of Native Affairs:

Now Dear Sir ... could I please have all my money I'll bank it myself in Beverley surely you wont [sic] say no ...

(Signed Ruby Shaw, 9 August 1937, Department of Native Affairs, Personal File: Ruby Shaw 360/33).

Impatiently, our mother wrote a second letter to him:

... if you let me free ... if you let me keep my money I wont [sic] tell any one else ... I treat myself a white girl ... the boy I intend to marry has another girl and therefore I don't want no boys no I wont wish to have any more now because there is no true lover in this world ...

(Signed Ruby Shaw, undated, Department of Native Affairs, Personal File: 360/33).

Mr. Neville replied to both her letters, clearly stating his refusal to grant her request:

I have read your letter in which you ask to be released from all association with this Department. I regret that as in your own interests I consider this inadvisable. I am not at present prepared to accede to your request.

(Signed A. O. Neville, Commissioner of Native Affairs, 14 September 1937, Department of Native Affairs, Personal File: Ruby Shaw 360/33).

Clearly, Mr. Neville was not prepared to relinquish his control over our mother.

In this section, I have endeavoured to give an overview of a number of employment experiences of our mother as a young Nyoongar woman. I have arranged the material in such a way that it tells its own story. By focusing on at least three major features of her working life (love, loneliness and rebellion), I have attempted to give a human face to the

information found in government records that by their nature, are largely detached and impersonal.

In the following section, I continue to reflect on our mother's life, focusing in particular, on the issues of Aboriginal identity and the exploitation of Aboriginal people by the Chief Protector of Aborigines, Local Protectors (either police or managers of settlements/missions), and white pastoralists who employed Nyoongar woman and girls.

### **5.7 Exploitation of Aboriginal people**

In this section, I focus in particular on the issue of exploitation of Aboriginal people by the Chief Protector of Aborigines, Local Protectors (these include both police and managers of settlements and missions), and the white pastoralists who employed them. The extent of exploitation of Aboriginal people by government officials can be measured by the extent of control over their lives, and removal of rights over personal property, including wages. As seen in the life of our mother, any attempt on her part at independence was discouraged. Furthermore, Aboriginal women found themselves vulnerable to sexual exploitation by white pastoralists, a practice that the legislators treated with indifference.

By continuing to draw on government records, I demonstrate the extent of government intervention into and control over, the lives of Aboriginal people. Section 33 of the *Aborigines Act 1905* invested the Chief Protector with power over all property belonging to any Aboriginal person, in the state of Western Australia. The Chief Protector could "take possession of, retain, sell or dispose of any such property, whether real or personal" and "exercise in the name of the Aboriginal or half caste any power which the Aboriginal or half caste might exercise for his own benefit" (Milnes, 2001: 30). Haebich states:

Agricultural development brought prosperity and respectability for the new white settlers in the south. However, it also went hand in hand with the pauperisation of the original Aboriginal inhabitants of the area ... (1992: 46).

Or, put more succinctly, “The pauperisation of Aboriginal people was sealed by legislation” (Milnes, 2001: 32).

Part of every employed Nyoongar person’s wages was sent to the Chief Protector who “saved it”. This meant, in effect, that if any Nyoongar wanted to spend money they earned from approved employment, they were required to write to the Chief Protector stating the reasons why they needed it. If he approved, the Protector would then have a welfare officer draw out the money and buy the clothes or goods requested. The following is from a letter written by Mr. Neville in response to such a request from our mother:

... You must remember that you have only been in employment a little over a month and receive a wage of seven shillings and sixpence per week, five shillings of which is paid to this Department for banking. The amount now due for banking on our behalf is one pound, eight shillings and sixpence and as you will readily see that is quite insufficient to cover the expenditure you wish to incur ...

(Signed A. O. Neville, Chief Protector of Aborigines, 6 April 1934, Department of Native Affairs, Personal File: Ruby Shaw, 360/33).

In this instance, our mother was seeking permission to buy a pair of shoes and other personal items. It is impossible to imagine the degradation associated with such a procedure. Numerous copies of letters fill our mother’s files requesting items from soap to underwear. The Commonwealth government has since acknowledged the indignity associated with such practices in its *Report on the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families*:

... the greatest advantage of young Aboriginal servants was that they came cheap and were never paid beyond the provision of variable quantities of food and clothing. As a result any European on or near the frontier, quite regardless of their own circumstances, could acquire and maintain a personal servant. (Reynolds, 1990, in *Commonwealth of Australia*, 1997: 27).

The Inquiry's findings also acknowledged the disempowerment of Aboriginal people through the creation of this master-servant relationship. The following illustrates how the nature of governmental control also extended to include any white person wishing to employ an Aboriginal woman as a domestic servant. Prospective employers were required to lodge an application for a "Permit for Employment on the Land"<sup>205</sup>:

... referring to Ruby Shaw's employment by Mrs Gillespie, I have to advise you that it will be necessary for this lady to secure the usual permit, and pay the prescribed contribution of 10/- towards the Natives' Medical Fund.

(Signed A. O. Neville, Commissioner of Native Affairs, 28 September 1937, Department of Native Welfare, Personal File: Ruby Shaw, 592/37).

In our mother's case, as with all other Nyoongar men and women, the Chief Protector or his deputy had to approve all applications for employment. In a later communication, Mr. Neville gives his permission for our mother to work as a domestic, but reminds her employer of the necessity for a Permit and the Department's arrangements concerning wages:

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<sup>205</sup> Not all employers were prepared to yield to this demand by the Department. One Beverley farmer, for example, wrote to the local Native Affairs District Officer in the 1950s, "It is extremely annoying to have to keep on applying for permits for natives casually employed ... farmers don't give them the job because they have to go to the trouble of getting a permit" (Beresford and Omaji, 1998: 73).

I am advised by Constable Rea that the native girl Ruby Shaw has entered your employ at a wage of one pound per week. That being the case, I wish to advise you that it is necessary that a set proportion of this amount be banked on the girl's behalf with this Department. Dating from the 1st October I shall be glad if you will please give Ruby 10/- per week as pocket money, obtaining her receipt to each weekly payment ... it will be necessary for you to secure a permit to employ this girl, for which application in the first instance should be made to Constable Rea.

(Signed A. O. Neville, Commissioner for Native Affairs, 28 September 1937, Department of Native Affairs, Personal File: Ruby Shaw, 592/37).

<p style="text-align: center;"><b>The Aborigines Act, 1905</b></p> <p>Application for Permit for Employment on Land.</p> <p>To the Police Officer in Charge of the Police Station at –</p> <p>Insert names in I ..... of ..... full and address.</p> <p style="padding-left: 40px;">Hereby apply for a permit to employ within the ..... Magisterial District on land .....</p> <p style="padding-left: 40px;">an aboriginal, or a male half-caste, under the age of fourteen years, or a female half-caste.</p> <p style="padding-left: 80px;">Dated the ..... day of .....19.....</p> <p style="padding-left: 80px;">(Signature) .....</p> <p><b>REPORT OF POLICE OFFICER</b></p> <p>To ..... <i>Protector of Aborigines</i></p>
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**12. Permit for Employment of Aborigines**

Further demands placed upon white employers included regular contributions to their employees' medical expenses.

Form No. 1.

Form of Advice by Permit Holders to nearest or most accessible Protector of Natives when any native in his employ becomes sick or affected by disease or who suffers any injury or accident and is in need of the services of a Doctor or Hospital care and attention.

The Native Administration Act, 1905-1936 (Section 36)

**NATIVES' MEDICAL FUND**

*The Protector of Natives.*

.....

I HEREBY NOTIFY YOU that native (native name and alias) .....,  
age ..... who is employed by me under

\*Single/General Permit No. .... issued at .....

on ..... became \*ill/sustained an accident ..... on .....

\*He/She is being sent to.....

Hospital or Protector of Natives at .....

on .....

I believe ..... to be suffering from

.....

(Here state nature of illness or accident.)

I certify that the unpaid wages now due to this native are .....

that the method of transport was .....

that the mileage travelled was .....

cost to myself of transport was .....

### **13. Natives' Medical Fund**

Mr. Neville wrote:

Referring to your letter of the 27th. Ultimo, I note that you do not consider that you should have to pay the medical fund contribution, on behalf of Ruby Shaw.

Ruby commenced her service with you on the 26th January, 1937 and the permit fee paid to Constable Rea, namely 5/-, was in respect to the period of the 30th June last. On the 1st July, a fresh permit became necessary, and in addition, regulations under section thirty-six of the act, made it obligatory for employers to contribute to the Natives Medical Fund.

As however, Ruby is a departmental trainee, the regulations provide that the contribution in her case shall be at the rate of 10/- and not one pound, as mentioned by you.

I regret, that as the law stands at present I have no option but to request you to secure a permit for the current financial year, and the fact that the girl has since left your service does not in any way release you from this legal obligation.

I attach hereto an account for 11/9, being the balance of wages payable on behalf of Ruby, covering the period 1st to the 11th ultimo, and I should be

glad if you would kindly forward this amount together with 15/- for payment of Medical Fund fee by early mail.

(Signed A. O. Neville, Commissioner of Native Affairs, 7 October 1937, Department of Native Welfare, Personal File: Ruby Shaw 592/37).

Countless letters, similar to the above, sent between the Department and the various employers, fill our mother's files. The particular employer, who received the above letter, questioned the existing procedures, suggesting a more practical, commonsense way of going about things:

... Thirty shillings a month isn't much to be worried sending down. I would either have to write cheques or money orders for that amount each time. Couldn't I open an account in the Commonwealth bank here and bank it for her? I could arrange that both her and my signature were necessary before any could be drawn out and in the event of her leaving me I would forward the whole amount to you. ...

(Signed M. Gillespie, 7 October 1937, Department of Native Welfare, Personal File: Ruby Shaw 592/37).

A short office memo summarises Mr. Neville's response to this suggestion: "Our rules must be adhered to" (Initialed A. O. N. 9<sup>th</sup> October 1937). In a subsequent letter to the employer, he continued:

... I regret that I cannot agree to your suggestion to open a savings account on at Beverley for Ruby.

I am already controlling a savings account on Ruby's behalf in which future remittances from your good self will be deposited. As in the case of all other wards of this Department, debits will be sent you monthly, a remittance in settlement of which must be forwarded direct to my office.

(Signed A. O. Neville, Commissioner of Native Affairs, 18 October 1937, Department of Native Welfare, Personal File: Ruby Shaw 592/37).



As Chief Protector, and subsequently Commissioner, Mr. Neville emerged as one who zealously carried out all the responsibilities entrusted to him. He took seriously the responsibility of creating a sound economic management. He saw it as his prime duty to the Government that had placed him in these positions to rid the system of all existing inefficiencies and replace them with a more ordered approach. (Jacobs, 1990: 73). As the previous letter clearly shows, he is not prepared to hand over control to anyone else, black or white. Our mother, on the other hand, intended to rid herself of such Departmental control: "... and you must let me go from you because you promise me. I am going to bother you when I go down to Perth" (Undated, Personal File: Ruby Shaw 592/37).

The following incidents provide further examples of the extent of continuing control Mr. Neville had over our mother. Her employer wished to send her on a month's holiday "to see her people". Mr. Neville is happy for her to do so, but not for a whole month:

... I have no objection to Ruby going to see her people, but I do not think she should stay there during the whole month. I shall be glad if you will instruct her to return to Perth after the expiration of two weeks and spend the balance of the time at the Girl's Home at East Perth ...

(Signed A. O. Neville, Commissioner of Native Affairs, 21 December 1937, Department of Native Affairs, Personal File: Ruby Shaw, 592/37).

Following an operation to have her tonsils removed, this same employer kindly offered to arrange for our mother to go to the *Country Women's Rest Home* ('Sunshine') in Cottesloe (a beachside suburb of Perth). Once again, Mr. Neville rejected this suggestion, insisting that she be sent to the Girl's Home at East Perth, "... where every effort will be made to make her comfortable, and her board will be a charge against the Native Medical Fund" (Signed A. O. Neville, Commissioner of Native Affairs, 15<sup>th</sup> May 1938, Personal

File: Ruby Shaw 592/37). Meanwhile, our mother's discontent continued to fester. An office memo (Initialed C. S. Secretary, 15 July 1938) draws the Commissioner's attention to this:

You will see from the letter ... from Mrs. Gillespie, employer of Ruby Shaw that the girl is once more agitating to be allowed to retain all her wages, and Mrs. Gillespie thinks that would be a good idea because Ruby does not appreciate anything the Department does for her.

Another note, this time from the Deputy Commissioner to the Secretary, Miss Stitfold, however, indicates that perhaps the Department began to seriously consider our mother's proposal, on a trial basis, at least:

We have allowed Maggie Shaw to retain her wages and I think we should extend the same treatment to Ruby for a trial period of six months to see whether she is capable of saving any of her wages, herself ... they are both at Beverley and I can well understand Ruby's desire to have all her wages. Perhaps she will be happier with this arrangement but my honest opinion is that both girls require the friendly supervision of the Department, as both appear to be utterly incapable persons.

(F. I. Bray, Deputy Commissioner of Native Affairs, 15 July 1936, Department of Native Welfare, Personal File: Ruby Shaw 592/37).

Deputy Commissioner. Bray informs her employer accordingly:

... with reference to Ruby Shaw's desire to be allowed to retain all her wages. I have given consideration to the matter, and although I feel that she really requires the friendly supervision of this Department I am agreeable to her being allowed to retain all her wages for a trial period ... At the end of six months the position will be again reviewed.

(Initialed F. I. B. on behalf of Commissioner of Native Affairs, 16 July 1938, Department of Native Welfare, Personal File: Ruby Shaw 592/37).

By August of 1938, our mother decided to leave her employer at Beverley. In fact, she simply walked out on her. On receiving notification from her employer, the Commissioner contacted the Local Protector, Constable Catt, reminding him that: “ ... she is still under my jurisdiction, and I should be glad if inquiries could be made as to her whereabouts and well-being ... If you can locate the girl will you kindly tell her to report to me at this office” (Signed A. O. Neville, Commissioner of Native Affairs, 1 September 1938, *Department of Native Welfare*, Personal File: Ruby Shaw, 592/37).

To show how earnest she was in obtaining her independence, our mother informed the Deputy Commissioner (Mr. Bray), that she had successfully found new employment at the Beverley Hospital. However, she was not completely free of the Department yet. Once again, the Department required her employer to obtain a permit for employment. The Commissioner instructed the Local Protector at Beverley, Constable Catt, to look into this matter (10 October 1938). Her continuing connection with the Department was to prove, however, to be an asset, as the following events demonstrate.

She was pregnant with her first child, Charlie. Thoughts of setting up her own home, modeled on the lifestyles of her employers, began to emerge. She received a summons to appear in court in connection with a quantity of Irish linen, purchased from a traveling salesman in Beverley. Due to her failure to pay the amount owing within seven days, the Linen Company was proceeding with legal action. Her legal defense was:

1. That the goods had been returned unused within a few days of their delivery (vouched for by her former employer), that she was a minor, and
2. that she was a Native under the guardianship of the Commissioner of Native Affairs appointed under the Native Administration Act (WA) 1905 – 1936.

Constable Catt played an important role in the formulation of her legal defense, as outlined in the following communication to the Commissioner:

... While Ruby was engaged by Mrs. Gillespie at Beverley a traveler from the Irish Linen Coy sold her the goods mentioned. She did not pay any deposit and has not paid them any money since.

The goods were posted to Ruby and upon receiving them she showed them to Mrs. Gillespie who promptly told her to return them at once as she had no possible chance of ever paying for them.

Mrs. Gillespie wrapped the goods up and sent Ruby to post them back to the company which she did.

Some time later she received a letter from the company threatening her with legal proceedings if the amount was not paid within seven days.

Ruby states as she had returned the goods unused practically by return mail. She considered she did not owe the company any money and she did not answer their letter.

The attached summons followed.

(Signed H. C. Catt, Protector, 2 November 1938, Department of Native Welfare, Personal File: Ruby Shaw 592/37).

Constable Catt proved to be a man of honour. He could see that she was a victim of circumstance, and it was on this basis that he came to her defense. Our mother would not have had prior experience with purchasing procedures, as the Department had carried out all business transactions on her behalf in the past. On this occasion, the Linen Company issued our mother with a credit note and there was no further action. (Letter from Deputy Commissioner to Constable Catt, 11 November 1938, *Department of Native Welfare*, Personal File: Ruby Shaw 592/37).

Meanwhile, our mother continued to grow intensely dissatisfied with her life as a servant. Again, she set about looking for alternate employment. She expressed to the Commissioner that she had an interest in dressmaking. In a memo to the Commissioner, his secretary notes that at the time of her last visit to the Department: "... she was wearing a very nicely made frock, which she assured me she had made herself, and it seems to me that she probably would be able to sew sufficiently well to engage in this work" (Initialed C. S. 8 December 1938, *Department of Native Welfare*, Personal File: Ruby Shaw 592/37). Following a discussion with Miss Stitfold, Mr. Neville writes to our mother indicating his view on her latest proposal:

Further to your recent call at this office when you stated to Miss Stitfold that you wished to leave domestic work and take up dressmaking, I should be glad to hear from you whether you have any plans in view yourself. Do you know of any dressmaker who would be willing to employ you, and at what wages?

On receipt of your reply the matter will be further considered

(Signed A. O. Neville, Commissioner of Native Affairs, 9 December 1938, *Department of Native Welfare*, Personal File: Ruby Shaw 592/37).

There is no further information available to indicate whether our mother pursued this particular interest. There are, however, clear indications that she returned to her former life as a servant<sup>206</sup>.

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<sup>206</sup> In a later letter to Mr. Neville, she informs him that she has found employment at Hoffman Hills (near Yarloop, a timber town located 125 kms south of Perth). The local school teacher and his wife had agreed to take her and her baby into their home in return for domestic service (Ruby Shaw, 31<sup>st</sup> October, *Department of Native Welfare*, Personal File: 592/37).

## 5.8 Sexual abuse

Legislation played a central role in producing vulnerability among Aboriginal women. Firstly, through the removal of property rights and the extent of Departmental control over their lives; secondly, as a direct result of personal disempowerment, Aboriginal women became further vulnerable through sexual exploitation. This is reinforced by the *1908 Act*, which stated that “cohabitation” was an offence, while sexual intercourse was not. By his own admission, Mr. Neville subscribed to this view:

In the West, under the Act of 1908, we regarded sexual intercourse between a white man and a full-blood as a serious breach of the law until the highest legal authority available pointed out that we were mistaken. I had decided to proceed against the manager of a pastoral station, who because of his unabashed intercourse with the native women on the place, was disrupting native life, not to mention other undesirable aspects of the matter. I resorted to my legal friend for advice in proceeding. “But you can’t do that ...” he said, “because the man is not cohabitating with these women.” He produced a dictionary in proof of his words and read out the meaning of “cohabit” – “to live together as man and wife.” The Act said that cohabitation was an offence, but did not mention sexual intercourse (Neville, 1947: 46-47).

This provides the basis for Haebich’s claim that authorities maintained a double standard in their dealings with Nyoongar women. According to this author, this was another example of the domination of white interests, as contained in the *1905 Act*:

... casual sexual contact remained outside the scope of the Act, leaving Aboriginal women and girls vulnerable to sexual exploitation and abuse ... (Haebich, 2000: 191).

In her treatment of colonisation of women in Australia, Anne Summers acknowledges the twofold burden of Aboriginal women:

As women, they were seen as sexual objects and fair game for white men; as members of a subject people they were also the victims of the whole range of indignities bestowed by a brutal invading colonialism which considered itself to be the master race (Summers: 1975: 276).

Certain incidents in our mother's life attest to the truth of these claims. These incidents also demonstrate the lack of regard towards Aboriginal women by those in power. On one occasion, our aunty Margaret wrote to Mr. Neville expressing her concern over an employer who was allegedly sexually harassing her sister. Our mother wanted to remove herself from this situation. Mr. Neville, together with our mother's employers, concluded that the real issue was her lack of commitment to the work. On another occasion, our mother went to the Local Protector in Beverley, Constable Catt, to lodge a complaint of alleged sexual assault. Constable Catt responded to her complaint by writing to Mr. Neville and seeking his advice on the matter. Following an interview with our mother, the Commissioner writes back to the Local Protector. This letter is significant, in that it provides an insight into the prevailing attitude towards women in general, and Nyoongar women in particular:

Ruby Shaw has been to see me and states that a white man in Beverly took advantage of her ... she said that this occurred at the football ground, and two of the man's friends accompanied him thither ... I doubt whether there is any case for a prosecution under Section 46 of the Native Administration Act, as we only have the girl's statement in the matter.

(Signed A. O. Neville, Commissioner of Native Affairs, 21 March 1939, Department of Native Welfare, Personal File: Ruby Shaw 592/37).

The truth of the "girl's statement" was confirmed when it was realised that she was pregnant. In his response to this development, Mr. Neville requested Constable Catt to

interview the young man named in the original allegation. Constable Catt submitted his findings:

I return the form which the young man concerned has hitherto refused to sign, but I would point out that if he admits cohabitation of course he has committed a breach of Section 46 of the Native Administration Act, and the question as to whether more serious steps should be taken against him would have to be considered.

(Signed Constable Catt, 25 March 1939, Department of Native Welfare, Personal File: Ruby Shaw 592/37).

Following a further interview with our mother, Mr. Neville writes again to Constable Catt informing him that:

... Ruby adheres to her story that Mike Reynolds<sup>207</sup> is responsible for her condition ... she thinks if she could face Reynolds in your presence she could easily prove to you that she is right. It has therefore been arranged that Ruby shall visit Beverley on Monday next, the 24th inst. She will proceed by the morning train and immediately call on you, when it is hoped you will be able to bring Reynolds to your office so that the matter can be thrashed out in your presence as Protector. I really think this is the best course in the circumstances. Ruby is very determined and also very certain and somewhat threatening in regard to this young man, but she says that you have been so good to her and her sister that she is willing to leave the matter in your hands as she feels sure you will understand the position.

(Signed A. O. Neville, Commissioner of Native Affairs, 20 April 1939, Department of Native Welfare, Personal File: Ruby Shaw 592/37).

Despite the young man's initial insistence on not being the father of her child, in a subsequent interview, arranged by Constable Catt and at which our mother was present, he agreed to sign the Statutory Declaration to say otherwise. Constable Catt provides the details of this second meeting to Mr. Neville:

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<sup>207</sup> While he was generally known as 'Mike', his real name was Gordon Webb Reynolds. Hence, the interchange of his name in the records.



I have to report that I had a further conversation today with Gordon Webb Reynolds (Mike) in this office, he then decided to admit responsibility for Ruby's condition. (Emphasis Constable Catt).

He was then faced with Ruby and he decided to sign the enclosed declaration.

I then arranged for Mr. D. H. Forbes J. P. to call at the office and Reynolds then signed the Declaration in the presence of Mr. Forbes myself and Ruby.

(Signed Constable H. Catt, P. C. 1392, 26 April 1939, Department of Native Welfare, Personal File: Ruby Shaw 592/37).

Following, is a copy of the wording used in the Statutory Declaration, signed by Gordon Webb Reynolds:

#### Declaration

I am the putative father of the unborn child of Ruby Shaw. I agree to pay maintenance for this child from date of birth at the rate of 10/- per week until it attains the age of sixteen years if a male child or eighteen years if a female child. I further agree that I will make such payments monthly to the Commissioner of Native Affairs, Perth, and also that in the event of my failing to keep up such payments as herein agreed at any time for any cause I will upon resumption of paying bring all arrears up to date. I understand that if I fail to make payment to the satisfaction of the Commissioner of Native Affairs legal proceedings will be instituted against me. (Signed Gordon Webb Reynolds, 26 April 1939, Department of Native Welfare, Personal File: Ruby Shaw 592/37).

Mr. Neville sums the matter up by recording:

... by her own action Ruby has obtained the admission of parentage from Reynolds, and when the child is born it will be time enough for us to see that he fulfils his undertaking.

(Initialed A. O. N. 5 May 1939, *Department of Native Welfare*, Personal File: Ruby Shaw 592/37).

Later in the year, Mr. Neville visited the young man's family, and to his surprise, he met the young man concerned. He records the occasion in a memo to his secretary:

On Saturday I visited Beverley and called to see Mrs. Reynolds ... I was also fortunate in finding her son Gordon at home, and also had a talk with him. He told me that he did not know Ruby very well, but that having got her into trouble he was prepared to shoulder his responsibility. He had not thought of marriage, and said that while he knew that Ruby went out with other boys, he thought she was a decent girl and in fact he defended her.

I was rather impressed with the young man, and apparently his mother and the family know all about the matter now.

I promised to let Gordon know should there be any change, such as Ruby marrying or losing the baby, or anything of that sort. Meantime he will continue to forward remittances to us.

(Initialed A. O. Neville, C. N. A, 7 November 1939, *Department of Native Welfare*, Personal File: Ruby Shaw 592/37).

The child referred to here is my older brother, Beverley<sup>208</sup> Charles Shaw. He was born on 28<sup>th</sup>. August 1939' at the Hillcrest Hospital in North Fremantle. He has some comfort is

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<sup>208</sup> Some records refer to 'Beverley Charles'. The name 'Beverley' was given to him because he was conceived at Beverley. It is a common practice among Aboriginal people to link country with an individual in this way.

knowing who his father is<sup>209</sup>. Charlie's father attempted to honour his financial commitment to the child, at least initially.

By November 1939, our mother had started her own bank account, and having rejected an invitation to return to work in Beverley, she was now working at Hoffman Mills (near Yarloop), a place of her own choosing:

... I don't intend to put my feet ever back in Beverley ... Mrs. Lodge has a very hard heart Ive slaved my inside out for that Lady and the thanks I got from was to walk 13 miles into Bev, the hottest day of the year. 113. so thanks her very much for her offer but I am quite happy and contented where I am ...

(Signed Ruby Shaw, 21 November 1939, Personal File: Ruby Shaw 592/37).

Perhaps at last she was beginning to taste the independence she craved. Sadly, she was also beginning to get a taste for alcohol.

In the next section, I review the circumstances surrounding the birth of our mother's first child, suggest reasons why she may not have been suitably skilled as a parent, and describe the disintegration of her life as the result of alcohol dependency.

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<sup>209</sup> Charlie told me in an interview that he has no recollection of knowing him. Despite the absence of a father figure in his life, Charlie went on to marry Marjorie, and together they had four boys: Jason, Chris, Glen and Michael. Three boys and their partners, currently live with Charlie and Marjory in the Wedge Island community near Lancelin, (a coast side town, 140 kms north of Perth). They have maintained a continuing relationship of love and respect for both their parents. Charlie is also highly respected, both within the larger Shaw family, and the wider Nyoongar community, particularly among the local Yued people. He shares something of his story in the chapter following.

### 5.9 Our mother gives birth

In this section, I continue to allow our mother to speak to us of her experiences as a Nyoongar woman, who lived under an oppressive regime of continual control, disempowerment and abuse. Despite the impersonal tone of the records from which I have compiled her story, her humanity clearly emerges from the circumstances surrounding the birth of her first child, Charlie<sup>210</sup>. This part of her story shows, despite her vulnerability, how she attempts to cope with the role of a single parent. It is around this time that the disintegration of her life began, as the result of becoming dependent on alcohol.

After reading about the circumstances surrounding my older brother's birth, Charlie, I found myself having to come to terms with the both the circumstances surrounding his birth, and the role of his natural white father. After reflecting on the related events as they have been recorded, I moved from a feeling of initial disappointment to one of understanding and respect for Charlie's father. My respect for him began once I discovered that he displayed the courage necessary to claim responsibility for our mother's pregnancy. My understanding and respect for him was also accompanied by an acknowledgment of his personal anguish and the trauma of his parents, associated with the news of our mother's pregnancy, and the subsequent birth of her son:

... About a month ago you sent my son Gordon a letter telling him of the birth of Ruby Shaw's baby it had got put away with some other letter and had not been opened so today I was having a burn up and came across it unopened so I opened it and my word I just felt dreadful as neither his father or I knew anything about this ... Dear Sir this is a hard blow to us ...

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<sup>210</sup> The records do not provide any information relating to Peter's birth. Peter provides details of his life in a recorded interview in the following chapter.

(Signed Mrs. Reynolds, Beverley, 10 October, 1939, Department of Native Welfare, Personal File: Ruby Shaw 592/37).

To a point, therefore, Charlie's father proved himself honourable. As the records show, he did his best to continue maintenance payments towards the upkeep of his child, at least until 1944. Mr. Young, Clerk of the Children's Court and later Magistrate<sup>211</sup>, the official intermediary between our mother and Charlie's father, was responsible for keeping the Commissioner of Native Affairs informed accordingly:

I desire to notify you that a maintenance order was made against Reynolds in this court on 5.2.41, whereby he was directed to pay the sum of 12/6 per week for the maintenance of Miss Shaw's child as from 17.1.41. In view of this order Reynolds will be making all his future payments through this office and I shall be glad if you will adjust your records accordingly.

(Signed A. L. Young, Clerk of Children's Court, 25 March 1941, Department of Native Welfare, Personal File: Ruby Shaw 592/37).

Later that same year, however, Mr. Young advised the Commissioner that, "payments are not regular" (20 October 1941, Personal File: Ruby Shaw 592/37).

While it would have been a time of bitter isolation for a young mother to handle the responsibility of rearing a child alone, she was under no illusion as to the harsh reality facing her, for Charlie's father had made it clear that he had no intention of marrying her, or of ever bonding with his son.

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<sup>211</sup> As magistrate, A. J. Young later handled the procedures relating to my adoption. He acted as an instrument of government, having dealings with my both natural family and foster mother.

### 5.10 The question of Identity

As I worked through the relevant files, I discovered that existing government control over our mother moved from the *Native Affairs Department* to the *Child Welfare Department*. As the information contained in the files attest, the reason behind this change was the same reason as it was for our great grandmother, Mary Ann Chuberan in the 1920s<sup>212</sup>, namely the degree of Aboriginality possessed by our mother.

Following, are illustrations of this renewed debate. The process of transition from one Department to another begins with the Acting Clerk in Charge for Native Affairs (J. Crooks) raising the question, “Is there any doubt in regard to Ruby Shaw’s caste ... or has this been definitely established?” In a handwritten note to the Acting Deputy Commissioner of Native Affairs, he expresses his opinion on her identity:

I cannot see where the caste of Ruby has been definitely established. Both her parents George Shaw and his wife whose maiden surname was Blurton are now deceased. As Ruby is light in colour, it is considered she could not be more than a quadroon. Her brothers and sisters are also light in colour’

(Initialed J.C., 14 November 1940, Department of Native Welfare, Personal File: Ruby Shaw 592/37).

Deliberations continue with the Southern District Officer for the *Department of Native Affairs* also seeks clarification on our mother’s status:

... While apparently a native in law she is being treated as a non native. It seems that Ruby’s children, whose paternity is unknown, are suffering as a result of their mother’s behaviour. Until last year Ruby Shaw remained mainly in the metropolitan area but in the last twelve months she has been

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<sup>212</sup> See Chapter Two, ‘Ancestral research’.

known to be at Brookton, Narrogin and Williams and a few months ago she had an illegitimate child at the Narrogin Hospital<sup>213</sup>.

I feel it is time that a ruling should be made in regard to Ruby Shaw and her children as to whether they come under the Native Administration Act or not. If they are not to be classed as natives, then the Child Welfare Department ought to be informed of the state of affairs so that they can take steps to ensure that the children of Ruby Shaw receive a proper education and upbringing instead of ... being left from time to time by their mother in the circumstances mentioned in the enclosures<sup>214</sup> ...

(Signature indecipherable, District Officer, Southern District, 29 January 1952, Department of Native Welfare, Personal File: Ruby Shaw 592/37).

Replying to the District Officer, the Commissioner stated:

According to the records of this Department, the above-named is the offspring of two half castes. However, these records are doubtful ... the Department has exercised no control over Ruby since 1942.

(Signed S. G. Middleton, Commissioner of Native Affairs, 26 June 1951, Department of Native Welfare, Personal File: Ruby Shaw 592/37).

After generations of Shaw Nyoongar ancestors (Mary Ann Chuberan, John Blurton, Victoria Blurton, George Shaw, and their children) were stringently controlled by the Department, I am left to ask, how can this same Department turn its back on all that has gone before? Our mother and her children were no longer considered to be “natives in law”, and the Child Welfare Department is advised accordingly:

... that in view of the above woman’s pigmentation and the doubtfulness of our records concerning her caste, she has been given the benefit of the doubt and does not therefore come under the Native Administration Act. She is deemed to be a quadroon.

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<sup>213</sup> This was Peter, her third child, my younger brother.

<sup>214</sup> The enclosures referred to here are copies of two letters from Mrs. Edwards of Chidlow to Mrs. McBeath at Narrogin. (The inclusion of the second name is significant insofar as Commissioner McBeath was her nephew). These letters described our mother’s drunken behaviour, and the nuisance she became to other people, when in this state. As the final section of this chapter illustrates, this became increasingly problematic for her, and those around her.

(Signed S. G. Middleton, Commissioner of Native Affairs, 7 February 1952, Personal File: Ruby Shaw 592/37).

As Eva Mumawa D. Fesl<sup>215</sup> points out, governmental regimes have persisted in the past, and continue in the present<sup>216</sup> to meddle in the personal matter of identity.

#### **5.11 Culmination of our mother's vulnerability**

A review of our mother's life from this time forward, shows the extent of her decline as the result of alcohol dependency. Associated with any chemical dependency is irresponsible, and reckless, behaviour as illustrated by the examples that follow. As a result, it is reasonable to assume that the Department wanted to be free of all responsibility for her, because of the growing problems associated with her behaviour. It is because of these problems however, that she would continue to attract government attention.

Understandably, our mother reached a point in her life when she was ambivalent as to what she should do about her children:

Ruby Shaw called at the Department yesterday and inquired whether it was possible for her to arrange to place her child in Sister Kate's Home<sup>217</sup>. I told her that this was a matter for her to arrange herself and that she should see Sister Kate in this regard. If she was successful in placing her child<sup>218</sup> at the Cottage Home the Department would pay any maintenance monies from Reynolds, the father, directly to Sister Kate.

(Memo notes: J. Crooks, Acting Clerk in Charge, 5 November 1940, Department of Native Welfare, Personal File: Ruby Shaw 592/37).

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<sup>215</sup> Passionately committed to 'Aboriginality and Identity', Eve Mumawa D. Fesl has written extensively on ways the English language has been used (and is still used), as a political tool against Aboriginal people. She argues, for example, that 'part', 'quarter', 'half-caste', 'full blood' and even the contemporary term 'descent' are all attempts to divide and rule Aboriginal people (1993: 10).

<sup>216</sup> The time of her writing is situated within the 1990s.

<sup>217</sup> Sister Kate established Parkerville Children's Home in May 1903. Parkerville is located within the Shire of Mundaring, northeast of Perth. Here, Sister Kate engaged in the work of caring for orphaned, neglected and unwanted children, (Accessed: 7/1/06, see Bibliography for website address).

<sup>218</sup> The child referred to here is Charlie.



No doubt, her growing dependency on alcohol robbed her of the necessary strength to cope with life. Among the options put to our mother by the Department, were Parkerville Children's Home or fostering. Mr. Bray called her into his office to discuss these options with her. He advised her to make contact with the *Child Welfare Department*, with a view to finding a suitable foster mother for her child, Charlie. The Department made initial arrangements to place him with a foster mother at Beaconsfield (a southern suburb of Perth). Charlie would have been 12 months old at the time<sup>219</sup>. In a later interview, Charlie told me that he has no recollection of ever living with anyone at Beaconsfield.

While employed at St. Hilda's College in Mosman Park (a suburb of Perth), as a domestic, our mother was charged with stealing. An article in the local newspaper *The Mirror* was headlined:

Stole Two Dresses At Girl's College

Ruby, fair-haired, 20-year-old domestic, whose address was given as St. Hilda's College, Mosman, said the complainant had lots of dresses and wouldn't miss the couple she stole (10 May 1941).

According to this same newspaper report, the Magistrate is recorded as saying, "That's a very poor excuse ... Unless you have Communistic tendencies". He placed her on a good behaviour bond for 12 months and fined 10 pounds.

By August 1942, our mother was working back in the country, but not as a domestic. This time it was the southwestern town of Kojonup, where she was employed as a waitress in the local hotel. It was here that her life began to dramatically fall apart.

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<sup>219</sup> It was the duty of the Child Welfare Department to supply the names of suitable foster mothers and then follow up with periodic inspections of the home conditions and the progress of the children. (Acting Clerk in Charge, 5 November 1940, *Department of Native Welfare*, Personal File: Ruby Shaw 592/37).

Constable P. Doye, for example, wrote to the Commissioner of Native Affairs, asking if his Department had any information on her. He states that she is employed as a waitress at the Commonwealth Hotel, Kojonup, and that she is “co-habiting with a white male”. He goes on to say that, “... she is definitely of Aboriginal extraction but fair in complexion – she is thought to be related to the Shaws of Geraldton”. In a further communication with the Commissioner, Constable Doye outlines her excessive drinking, being drunk, and associating with natives (Signed A. P. Doye, 17 August 1942, 2<sup>nd</sup> September 1942, Kojonup Police Station, Department of Native Welfare, Personal File: Ruby Shaw 592/37). The wife of the white male referred to in Constable Doye’s report, discovered her husband’s liaison with our mother and promptly filed for a divorce. *The Mirror* reported the incident as follows:

### **Hubby Wasn’t After Sheep, But Tender Lamb!**

When Leonard Charles Elverd said to his wife “I’ve got to help a pal drove some sheep” ... he really had a date with a rather cute little lamb!

She learned that her husband had visited the room of a hotel waitress Ruby Shaw that he didn’t go to ask the girl what she had on the menu next day! ... Telling the Chief Justice all about it when she brought a suit for divorce against her husband, ... She decided to interview Ruby Shaw, found the latter in confessing mood ... Ruby went on to say that ----- had not only visited her room but that misconduct had taken place ... Mrs. Elverd concluded her case by saying she had not lived with her husband as man and wife since the hotel incident. She left court with her decree<sup>220</sup>. (*The Mirror*, December 2 1944: 6).

This incident was confined to one night, and our mother was in her early twenties. In reply to Constable Doye’s inquiry, Mr. Bray had this to say:

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<sup>220</sup> This is a slightly edited version.

... According to her recorded parentage, she is the daughter of two half-castes but we could not prove this in a Court of Law if required to do so ... We could only make the statement that she was the daughter of two half-castes and rely on the provisions of Section 51 which throws an onus on natives to submit proof to the contrary regarding their caste and parentage ... Some time ago information reached us that Ruby was associating with natives in law. Giving her the benefit of the doubt in respect to her status as a native and assuming she is a quadroon, she would be committing a breach of the law in association with natives as she is over twenty-one years of age.

I would add, for your information, that Ruby and her sister, Maggie, are rather stupid types of girls and inclined to be irresponsible but can be frightened into behaving themselves. I have found this from experience with them and would suggest that you severely warn Ruby regarding her conduct and order her away from the district if necessary. You can also tell her that I have taken a lenient view in regard to her status and have given her the opportunity to live as a white person. If she fails to do so, then I shall be reluctantly compelled to re-exercise my supervision over her and possibly, if she causes any trouble in your district, I may be compelled to seek the Hon. Minister's approval to the issue of a warrant for her removal to the Moore River Native Settlement. I think if you told her this it would have a good effect.

(Signed F. I. Bray, Commissioner of Native Affairs, 20 August 1942, Department of Native Welfare, Personal File: Ruby Shaw 592/37).

Other notable complainants are Mr. Lavis (our Aunty Margaret's English husband), and Miss Mulvale. In the course of a visit to the Department, Mr. Lavis stated that:

... he had called at the Department because he was concerned about the behaviour of his wife's sister who lived with them ... this man was concerned, because Ruby, during the past twelve months came home on a number of occasions very intoxicated and caused a disturbance at his home ... I told this man that the Department had no control over her whatsoever and that, if he did not desire to ask her to leave his home, he had better lodge his complaint with the police ... He also advised me that his wife, who was a Roman Catholic, intended mentioning the matter to her parish priest. I informed the complainant that this would probably be the best means of getting Ruby to mend her ways, and he left the office with that intention in mind.

(Initialed J.C. 2 December, 1947, Department of Native Welfare, Personal File: Ruby Shaw 592/37).

Miss Mulvale submitted her report<sup>221</sup>:

A report has been made ... to the effect that Ruby Shaw ... has been drinking heavily and neglecting her child, said to be about 10 years. Will you please investigate this case, but before doing so will you call on Miss Mulvale at 17 Bertram St, West Perth, who will give you further information.

Ruby Shaw is a half caste native holding a Certificate of Citizenship Rights. The Department has no record of her child. If the child is fathered by a white man, it will be a quadroon, and not a native in law and the Child Welfare Department should then assume responsibility for further investigation.

(Signed, name indecipherable, Assistant Deputy Commissioner of Native Affairs, 5 May 1950, Department of Native Welfare, Personal File: Ruby Shaw 592/37).

Our mother's life of alcohol dependency and the resulting unmanageability of her life, culminated with imprisonment:

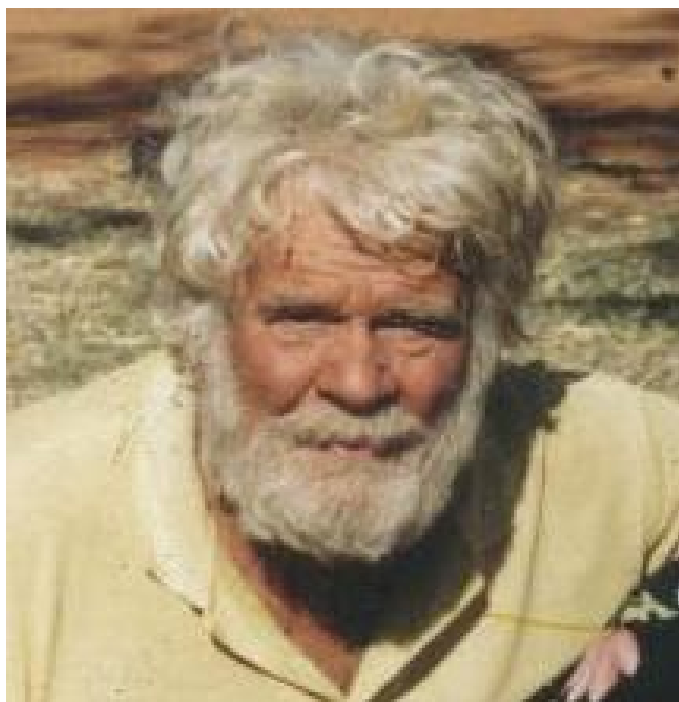
... Ruby Shaw was convicted in the Guildford police court on the 20th inst. of supplying liquor to a native and was sentenced to 90 days' imprisonment at Fremantle prison ... Ruby Shaw is 42 years of age and has three illegitimate children by different white men. Peter, aged nearly 6, lives with his mother; Gerrard aged about 8 is a Ward of the Child Welfare Department and has been boarded out with a foster mother; Charles about 17, lives with his maternal aunt, Mrs. Mary Margaret Lavis at 101 Barnes Road, Innaloo ... There seems little doubt that Ruby's behaviour problems arise from addiction to alcohol ... Dr. R. Giles ... advised me that Ruby Shaw is suffering from mental and emotional stress, which has probably been a contributory cause of her alcoholism ...

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<sup>221</sup> Listed with the Department as an interested foster mother, Miss Mulvale had lodged an official complaint with the Department that Ruby Shaw had been drinking heavily and was neglecting her ten-year-old son, Charlie (Signed B. Hastings, 22<sup>nd</sup> May 1950, Temporary Inspectress, *Department of Native Welfare*, Personal File: Ruby Shaw 592/37).

(Signed B. A. McLarty, District Officer – Central, 22 November 1956,  
Department of Native Welfare, Personal File: Ruby Shaw 592/37).

In this chapter, I have attempted to show how the mental and emotional stress, described by the doctor in his report, came about through a lifetime of manipulation, control, dispossession and disempowerment. In summary, she had been institutionalised, lived her life under the shadow of an oppressive legislation that had successfully shattered any chance of her people maintaining a unified family structure, and she was accountable to the Protector of Aborigines for every detail of her life. These are the ingredients that contributed to her vulnerability as a person, depriving her of the necessary skills to cope in adult life. In the following chapter, I view our mother through the eyes of her son Charlie, and Peter Shaw provides an insight into her sister, Aunty Lily.



**14. Elder Charlie Shaw (left) and Peter Shaw (Right)**

## Chapter Six

### *Charlie and Peter Shaw, and Lillian McDonald: - Descendants tell their stories*

#### 6.1 Introduction

In this chapter, I provide information from recorded interviews<sup>222</sup> with my two brothers, Charlie<sup>223</sup> and Peter<sup>224</sup> Shaw. I weave them into my literary tapestry, allowing their stories to expand on the ancestral stories, which make up the first part of this work. Yet, it is more than this. Firstly, these stories are of “the little lives that never make the pages of history” (Grant: 2002: 13)<sup>225</sup>. Secondly, they show how the vulnerability of Aboriginal people became inter-generational. Finally, they contain a therapeutic element, by contributing to repairing the damage caused through the fragmentation of our family by government intervention spanning four generations. I approached the interviews in the hope that I could learn something about the family I never knew.

Charlie spoke of the time he was with his mother, and despite two attempts to separate them from each other, they remained together until his early teenage years. Peter’s story reveals how his Aunt Lily shielded him from removal.

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<sup>222</sup> These interviews took place on 12 - 14 September 2005, at Highgate and Embleton, suburbs of Perth.

<sup>223</sup> I introduced Charlie in the previous chapter, at the time of his birth, and as part of our mother’s story.

<sup>224</sup> Similarly, Peter was also introduced in Chapter Four, with details concerning his birth.

<sup>225</sup> They are the difference between the Grand Narrative and the minor narrative, a concept referred to in the Introduction.

## 6.2 Charlie Shaw

A reoccurring thread throughout Charlie's story was the strong bond he had with his mother. "She tried to keep me with her for as long as possible," he explained, "allowing extended family members to care for me only when she had no other choice." The bond between mother and son was strengthened through their love for the bush, and their Aboriginal Culture. Charlie acknowledged, "That it was through her influence he first became aware of his Aboriginal Culture<sup>226</sup>." Charlie added, "That this was despite legislation that existed at the time, preventing Aboriginal people talking about Culture with their children, and forbidding the speaking of their Nyoongar language".<sup>227</sup>

## 6.3 Kojonup and Williams

As explained in Chapter Three, Ruby Shaw had her first child, Charlie, in the port city of Fremantle on 28th August 1939. Following his birth, she took him to Beverley, where she was working at the time. "Later", Charlie recalled, "I went with her to the wheatbelt towns of Katanning and Kojonup, when work became available there." Reminiscing about Kojonup, Charlie told me that, "Aunty Margaret, Uncle Ray Lavis<sup>228</sup>, and several of his cousins, all lived and worked together, at a nearby farm." He explained that, "This farm was located near the Blackwood River, just outside Kojonup." Clearly, these were happy times for Charlie. One example of this was, "When the family piled onto an old Ford with

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<sup>226</sup> Charlie also acknowledged members of the wider Nyoongar community, who also played their part in teaching him about Culture. Significant among these was Elijah, who showed him how to survive in the bush.

<sup>227</sup> The reality of this repressive legislation came home to me when I attended a function during National Aboriginal and Islander Day of Celebration (NAIDOC Week 2001) at the then *Nyoongar Language and Culture Centre* in Perth. In the presence of the Minister for Aboriginal Affairs (Mr. Alan Carpenter), a venerable Nyoongar Elder was invited to make a few comments in Nyoongar language. So conditioned was she not to speak her own language she could not bring herself to do it.

<sup>228</sup> Uncle Ray Lavis, an English man, was married to our Aunty Margaret, sister to our mother, Aunty Jane, Aunty Lily, Aunty Marjorie, Uncle Benedict, Uncle Billy and half-sister to Lena, daughter of Charles Fitzgerald, whom our grandmother Victoria Blurton remarried following the death of George Shaw.

wheels that had wooden spokes, and drove to nearby towns where there would meet up with local Nyoongar people. This provided the opportunity for them to swap yarns and catch up on the latest news.” They lived in Kojonup from 1945 to 1947.

Charlie acknowledged his mother as a hard worker<sup>229</sup>. At Kojonup, for example, he remembered, “at aged six, helping her milk eight cows each day by hand before she harnessed horses in preparation for the day’s work of clearing the land.” It is from sharing hardships and challenges that the deep bond with his mother was borne, and their mutual love for the bush intensified. After a week of hard work, Charlie told me how much he looked forward to their one day off, because it meant that, “we could head off into nearby bush land in search of bush tucker.” He explained, “It was at Kojonup that I was ‘grown up’<sup>230</sup> in a Cultural sense by my mother, other family members, Elijah, and members of the Nyoongar community. It was here, that I developed a deep awareness of, and a strong connection to, country.”

Following Kojonup, Charlie and his mother, “Traveled to Arthur River, just out side of Williams<sup>231</sup>.” Here, his mother “found employment at a nearby pig and sheep farm, owned by the Martin family. We camped with the Raken Aboriginal family.” Meanwhile, he continued to “spend a lot of time going bush with my mother and other Nyoongar people, to hunt rabbits and kangaroos.” Sometimes, “they were invited on to other campsites, where it was not uncommon to meet up with more relations.”

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<sup>229</sup> Others who also acknowledged her as a hard worker include family members, and members of the Collard family, with whom Charlie and his mother lived at Boyagin Rock, near Brookton. Our mother worked at a nearby farm at this time, as mentioned in Chapter Four.

<sup>230</sup> “Who grew you up?” is a question asked by many Aboriginal people. It has its equivalent in English, ‘who brought you up?’ Brian McCoy provides a more complete Cultural explanation of the concept of growing up in his work *Holding Men – Kanyirminpa and the health of Aboriginal men* (2008: pp. 24-30).

<sup>231</sup> Williams is a town located in the wheatbelt region of Western Australia, approximately 160 kms south-southeast of Perth.



#### **6.4 Boyagin Rock**

Another memory that stood out for Charlie was time he and his mother spent with his Aunty Jane and Uncle Fred Collard (junior) at Boyagin Rock, near Brookton. They lived in a mia-mia<sup>232</sup>. Charlie told me that, “My mother financed my schooling with money earned from the work she did, washing and cooking for the Evans family who lived at a nearby farmhouse ... She also cooked for local shearers at this time, as well as trapping and collecting dead mallee roots.” Charlie took me to Boyagin Rock, and showed me the farm where his mother worked, and the Collard campsite where they lived.

During his time at Boyagin Rock, Charlie attended the Brookton primary school, along with members of the Collard family. He remembers the day that this came to an abrupt end. Forgetting to take his lunch to school, he approached the school canteen and asked, “Could I get something to eat.” He was refused on the basis that his mother was behind in her payments for school fees. That was the same day he returned home: “To find that his mother had gone to Perth to negotiate with the Chief Protector of Aborigines to access her earnings so that she could pay the school fees.” Because Charlie wanted to be with his mother, he galvanised Mr. Evans (his mother’s employer), “Into driving me to Perth where I was reunited with my mother at Aunty Margaret’s house, that same day.”

#### **6.5 New Norcia**

In 1953, Charlie and his mother moved to New Norcia. Here, they lived in what Charlie described as, “an old clay-built house facing the old Geraldton road<sup>233</sup>”, where Aunty Lilly

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<sup>232</sup> A mia-mia is the Nyoongar name for a shelter built from bush materials, and used as a type of hut.

<sup>233</sup> This road, the main road through the township of New Norcia, divides the Church and monastery from the buildings, which were formerly orphanages for Nyoongar boys and girls, and the two buildings that were originally constructed as colleges for white boys and girls.

and Charles Fitzgerald were also living.” The cottage, Charlie explained, “had been given to Charles Fitzgerald by the Benedictine Monks.” He described the cottage, as “consisting of one room with a fireplace. Wheat-bags hung from the roof partitioned off sections of this room. This created the illusion of a separate room; it was the bedroom where Lillian, Les and Charlie slept. Charles Fitzgerald (or ‘pop’ as he was referred to), would sleep by the fireplace.”



**15. Three cottages with the Church in the background c1950**

Charlie and our mother lived with Charles Fitzgerald in the first cottage, nearest the Church. (Taken from Ingrid van Bremen's research article “New Norcia Mission Cottages” in *New Norcia Studies*, September 2004, Number 12).

Talking about the New Norcia cottage evoked more memories for Charlie. For example, he spoke of “the times when my mother would take me (and the others when they stayed), down to the Moore River (located behind the monastery).” He remembers, “Aunty Margaret, my cousins Lillian and Les, often coming to stay with us on weekends and school holidays.” Charlie explained to me, that during their time in New Norcia, “My mother worked at the nearby hostel, built originally by the Benedictine monks to accommodate monastery guests<sup>234</sup>. Aunty Lilly worked as a cleaner for various white

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<sup>234</sup> This later became the New Norcia Hotel.

families in the area”, and Charlie began work with Brother Paulino<sup>235</sup> in the monastery bakery.

When Charlie spoke of his time at New Norcia, more memories associated with the bush came flooding back. For example, he referred to the times when his mother, Uncle Billy, and others from the “River People”<sup>236</sup>, “Would go kangaroo and rabbit hunting”. The kangaroo, rabbit skins, and the gum collected from the trees, would be sold. Collecting gum from trees and hunting for animals, “often took us as far away as Cataby”<sup>237</sup>. “Gum from certain trees,” Charlie explained, “is regarded by Nyoongar people as having certain healing qualities, and therefore can be regarded as a form of bush medicine.” He also remembered the times when his mother would teach him to catch djilgees<sup>238</sup> in the Moore River. Usually, “This occurred around March of each year because that would be time when the djilgees would build their mud nests. My mother taught me how to collect these river creatures by putting my hand down into the damp mud and hold the djilgee by the neck, and then pulling it out.” Later, Charlie and his mother went to live in a house on a nearby hill, located on other side of the main road that runs through the township of New Norcia<sup>239</sup>. Charlie would have been about thirteen years of age at this time.

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<sup>235</sup> Brother Paulino died 18 January 2010, the last surviving Spaniard, aged ninety-nine years. His death brought to an end a continuous line of Spanish born Benedictine monks in New Norcia, dating back to the foundation of the Monastery in 1846 by Bishops Salvado and Serra.

<sup>236</sup> ‘River People’ identifies the people who lived and camped around the Moore River which runs behind the monastery.

<sup>237</sup> Cataby is a tiny town site located some 170 kms north of Perth.

<sup>238</sup> ‘Djilgee’ is the Nyoongar name for marron.

<sup>239</sup> This road, the main road through the township of New Norcia, divides the Church and monastery from the buildings which were formerly orphanages for Nyoongar boys and girls (known as Saint Mary’s and Saint Joseph’s respectively), and the two buildings that were originally constructed as colleges for white boys and girls (Saint Ildephonsus and Saint Gertrudes respectively). Charlie and Les lived in the boy’s orphanage, while waiting to be admitted into Saint Ildephonus’s college – a hope that was never fulfilled. The orphanages were closed in the early 1970s. Saint Mary’s now houses the town’s museum.



16. : Charlie and Lillian pointing out the location of the cottage they once lived in. Saint Joseph's orphanage, now the New Norcia Museum and art Gallery, is seen in the background

## 6.6 Removal attempts

Charlie's life, as I was to learn, was not without its adversity. There was a time when the happiness and carefree lifestyle in the bush came to an abrupt end. This took the form of two attempts by authorities to remove him from his family. Charlie explained that, "I moved to Perth with my mother in 1947, and it was during this time there were two attempts made to separate me from my family." The first attempt was, "The time I was sent to Clontarf <sup>240</sup>, while my mother worked at Castledare<sup>241</sup>." I asked Charlie, "Why did this occur?" He replied by explaining, "The *Department of Aboriginal Affairs* justified my removal on the basis that because my mother was constantly on the move and was neglecting her child as a result." Charlie went on to say that, "The authorities explained to me that I would be better off at Clontarf because with all the moving I was missing school too often. By living at Clontarf I would receive a proper education." Charlie's description of the Clontarf experience contradicts this claim. "There was very little schooling. I spent

<sup>240</sup> Clontarf has its origins in the founding of Clontarf Boys' Orphanage, which the Christian Brothers ran and built. It was originally known as St. Joseph's Boys' Orphanage. It later became known as Clontarf Boys' Town and became self-sufficient with a productive farm on site. The boys worked on the farm and were engaged in assisting with much of the building work. Following unsuccessful attempts to establish a school for day students and boarders, and later a treatment centre for boys with behaviour problems, Clontarf was closed in 1964. It was reopened in May 1986 as Clontarf Aboriginal College, (<http://www.clontarf.wa.edu.au> Accessed: 27 December 2009).

<sup>241</sup> Castledare was another institution also run by the Christian Brothers. It is situated on the opposite side from Clontarf, across the Canning River.

most of my time working in the piggery. One advantage of this,” he explained, “meant that I had access to better food than that served up in the dining room.” Charlie went on to explain how those in charge of this institution at the time practiced double standards when government officials came to visit Clontarf. “Everyone was dressed up in new clothes and treated to a roast dinner, complete with the special treat of a chocolate bar. Everything went back to normal when the visitors left”.<sup>242</sup>

Apart from the pig food, Charlie also found comfort in the friendships he formed, such as with the Jackson brothers. Like Charlie, they were Nyoongar, and like most Nyoongar people who had been placed in an institutional environment, they banded together for mutual support and protection in the face of what was perceived as a hostile environment. “There were also a number of English boys at Clontarf at the time,” Charlie told me, “And they too bonded together in a similar way. English or Nyoongar, severe beltings from the Christian Brothers who ran Clontarf, were a common occurrence.” Then one day, against the wishes of the Department, his mother turned up and took Charlie out of Clontarf. This action on our mother’s part is indicative of her strong desire to keep her child with her. Nevertheless, from his time at Clontarf, Charlie explained that, “This was the beginning of an ongoing association with the *Department of Aboriginal Affairs* that persisted up until the time when I married Marjory (1960), and started a family of my own.” The Clontarf incident was not the only time when his mother exercised her maternal rights.

Charlie told me about the time when his mother was working for a Perth doctor. “The routine consisted of catching the bus each day to the nearby school of St Joseph. My

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<sup>242</sup> Another point of view might suggest that, in principle at least, the practice of putting on a good face for visitors is a common practice both in institutions and in private homes.

mother would pick me up after school each day. One day she didn't show up. Instead, the doctor and his wife came to collect me, telling me that they were going to change my name and that I would no longer be seeing anyone from my family. They gave me no reason for this." Charlie acknowledges these people as good people, but when they told him that he would not be seeing anyone from his family again, he promptly informed them that he would not be staying with them. He was relieved when, our mother "... arrived that night in a taxi, collected him, and took me away from that family."

For a time after that, Charlie lived with our Aunt Margaret and her family while they waited to be given a house of their own, to be provided by the then *State Housing Commission*. Meanwhile, Aunt Margaret, a devout Catholic, had been put in contact with a certain Irish lady through the local church. Mrs. Murphy owned a house in Subiaco, and agreed to take them until suitable accommodation became available. Charlie remembers this lady as, "Having a very hostile attitude to each one of us on the grounds of our Aboriginality." This manifested itself in the disdainful way she spoke about Aborigines.

Charlie's memories of attending school contradict the claim made by the authorities that he was not receiving any schooling. He recalls, for example, "Attending St Brigid's primary school in West Perth, the Christian Brothers' College in Highgate, and later a stint at the Christian Brothers' College, Fremantle".<sup>243</sup>

It became clear to me that my removal from the family, together with them being prevented from seeing me, was a source of pain for them. Charlie recalls, "Going with both my Aunt and mother several times to the West Perth house and tried to get you back, but

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<sup>243</sup> Ironically, I also attended Saint Brigid's and Christian Brothers' College Fremantle, but as far as we can establish, it was after the time Charlie was there each time.

each time were turned away.” Their visits to Magistrate Young at the *Child Welfare Department* in Perth proved just as futile. Charlie was left confused by the experience.

In his later adult life, Charlie has endeavored to teach his sons the ways of the land and sea by sharing things both his mother and other Aboriginal people taught him when he was young. Over many years, his sons, and more recently his grandchildren, have learned of the Cultural ways that his ancestors had passed down to him.

#### **6.7 Peter Shaw**

Peter prefaced his story by explaining, “That because my mother had to travel around the state in search of work, it was left largely to Aunty Lily to care for me both as a child and as a young teenager.” For this reason, “She was more directly involved with my upbringing than was my mother”. Peter told me that “Aunty Lily was determined to block any effort to have me taken away on the basis of neglect<sup>244</sup>.” Because of Aunty Lily, Peter was able to say that, “I had a happy childhood, and “I regarded Aunty Lily as my best friend.”

Peter’s recollections begin with Allawah Grove<sup>245</sup>, when he would have been about three years of age. Here, he lived with his Aunty Lily, and “Between country assignments, my mother would stay with us.” Peter told me that, “From Allawah Grove I attended the Guildford primary school”. From Peter’s description of Aunty Lily, her personal profile emerges as a devoutly religious person (a point strongly supported by other family members). “She had seriously considered joining the Benedictine Sisters<sup>246</sup> at New Norcia.” Peter told me that this is what her siblings expected her to do. A practical woman,

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<sup>244</sup>Aunty Lily would have witnessed the attempts to remove Charlie based on neglect.

<sup>245</sup> Allawah Grove was situated 3 kms from Guildford, a northeastern suburb of Perth.

<sup>246</sup> Bishop Salvado founded the Benedictine Sisters from Spain. They have since returned to Spain, taking with them Sister Veronica, a Nyoongar woman from the Willaway family, formerly of New Norcia.

however, in view of her sister's enforced absences<sup>247</sup>, she could see the importance of caring for Peter. She put aside her religious aspirations and committed herself to this end instead. Nevertheless, according to Peter, "The recitation of the rosary and attendance at Mass were regular household practices". This would indicate something of the religious influence of New Norcia on Aunty Lily's upbringing.

From Allawah Grove, Peter and Aunty Lily moved to Kalamunda<sup>248</sup>, where. "We lived in a large house." Here, Peter attended the nearby school known as 'Mary's Mount', while Aunty Lily worked in Perth. However, "She always managed to be back in time to collect me from school", Peter insisted. Their next move was to Innaloo<sup>249</sup>, where Peter attended nearby Saint Dominic's school. Other family members also lived at the Innaloo house. These included, "My mother (between country assignments), Aunty Margaret (Lillian's mother), Uncle Ray Lavis<sup>250</sup> (married to Aunty Margaret), my brother Charlie, and my cousins Steven, Les, Sally and Lillian."

After completing primary school at Saint Dominic's Innaloo, Peter then attended Christian Brothers' College, Leederville. Here once again, "Aunty Lily would always meet me after school, but on the condition that I walk at least twenty yards in front of her so the other boys wouldn't label me a 'nigger lover'." This painful memory reflects something of the racial attitudes present at the time.

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<sup>247</sup> This refers to our mother being sent to a variety of country areas for employment by Mr. Neville.

<sup>248</sup> Kalamunda is a town and eastern suburb of Perth. It is located in the Darling Scarp at the eastern limits of the Perth metropolitan area. The word is derived from two Nyoongar words, 'kala' (meaning home), and 'munda' (meaning forest); hence, the Shire's motto, 'A home in the forest'.

<sup>249</sup> Innaloo is a suburb approximately 11 kms from Perth. This name was adopted in 1927, but it was originally referred to as Njookenbooroo, believed to be the Aboriginal name for nearby Herdsman Lake.

<sup>250</sup> Peter remembers Uncle Ray Lavis, an Englishman, as a quiet man, but who disliked Aboriginal people coming to the house.



Regardless of how other people saw his Aunty, Peter told me that he was very proud of her, and that he greatly appreciated all she did for him, as the following indicates. “While I was attending St Dominic’s primary school in Innaloo, I used to do a paper round each afternoon, after school<sup>251</sup>. As part of the delivery service I would have to ride my bike (the same one Aunty Lily had purchased on credit from Boans), to the Metropolitan Markets where I would collect the newspapers to be delivered. One day, and to my surprise, I saw Aunty Lily working there. I did not know that she had this job in addition to another one.” Peter’s sharing provides an example of the benefits associated with extended family members, something I was prevented from having.

Despite not having the opportunity to be with his mother as often as Charlie was, Peter still remembered her as, “Someone with a heart of gold, a true Nyoongar woman who loved the land.” He was, however, able to be with his mother while she was working at Castledare as a cook. There, he remembers the time when he, “Stole baby Jesus from the Christmas crib in the nearby chapel. Other boys spotted me heading off with baby Jesus in the wheelbarrow, and quickly called the Brothers, who promptly aborted the intended theft.”

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<sup>251</sup> This paper was the *Daily News*. The *Daily News* was an afternoon daily newspaper published in Perth from 1882 – 1990.



**17. Aunty Lily Shaw**

#### **6.8 Lillian McDonald (nee Lavis), and her Journey into Aboriginality**

I got to know my first cousin, Lillian, as one who was firmly committed to uphold the wish of her mother (Margaret), “To keep the Shaw family together.” Lillian described, “How my mother had witnessed attempts to remove Charlie [described in his interview] and, “How she and family members had to stand by, powerless to prevent your removal.”<sup>252</sup> Lillian visited our brother Peter on a regular basis, following the passing of his Aunty Lily. Lillian is the one who maintains regular contact with both Charlie and me. She has been an important link insofar as she has been prepared to sit down and talk about my mother, and other family members.

There was, however, another aspect to Lillian that I soon came to realise, and that was she preferred not to talk about, or acknowledge her Aboriginality in any overt way. On one level, this left me feeling alienated from her, as I was engaged in my own personal

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<sup>252</sup> The contrast between our mother’s success in preventing Charlie’s removal, and failure to do so in my case, is due to the greater level of support enjoyed by my foster mother.

journey of healing, central to which was the coming to terms with my Aboriginal identity, and I wanted to share with her on this level. I eventually felt comfortable enough to ask her why she tended to avoid talking about her Aboriginality. The key to understanding her apparent denial, I discovered, was in her reply, “I saw the way Mum was treated because of her Aboriginality”. I then understood that what seemed like a form of denial was in fact a fear, a fear that had been created by past attitudes towards Aboriginal people. It was the same fear that motivated Aunty Lily to instruct Peter to walk ahead of her when she picked him up from school<sup>253</sup>.

As outlined in my Ancestral research (Chapters Three and Four), our ancestors lived under oppressive forms of legislation<sup>254</sup> which impacted on their lives by separating them out from mainstream society. Such experiences contributed to their vulnerability. Through Lillian, it became clear to me that the impact of past legislation was not limited to the lives of our ancestors, but continued to be felt in the lives of their descendants. She was an embodiment of the inter-generational effects of past practices, which generated a sense of shame in being Aboriginal.

Ironically, around the time I began interviewing Lillian I observed that as the result of certain external influences in her life, an inner movement toward a greater acceptance of her Aboriginality was taking place. These influences came from Charlie’s involvement in the South West Aboriginal Land and Sea Council (SWALSC)<sup>255</sup>, and two trips to Fitzroy

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<sup>253</sup> Peter refers to this incident in his interview.

<sup>254</sup> The *Aborigines Protection Act* (WA 1905), and the *Natives (Citizenship Rights) WA (Act 1944)*, are two important examples.

<sup>255</sup> The *South West Aboriginal Land and Sea Council* (SWALSC) is a representative body of the Nyoongar people, the traditional owners of the South West of Australia. SWALSC works with its members to find resolution for native title claims as well as advancing Noongar Culture, language and society (<http://www.noongar.org.au> Accessed: 31 December 2009).

Crossing, where she met Uncle Jack Shaw<sup>256</sup> and his family. In the next section, I trace her journey into identity by describing these two significant influences, and the positive effects they had on her.

#### **6.9 The South West Aboriginal Land and Sea Council**

Lillian agreed to support Charlie, who was then representing the Shaw family at the South West Aboriginal Land and Sea Council <sup>257</sup> meetings as a member of the Yued<sup>258</sup> people. Charlie had been attending these meetings on his own for some time, and he indicated his needed for the support of at least one other family member, and Lillian agreed to fill this role. This meant that she would have to travel through Nyoongar country to attend regular meetings, where she would meet and interact with other Nyoongar people. As a result, Lillian had the opportunity to develop an awareness of what it meant to be Aboriginal. With increased awareness, came a greater self-acceptance of her Aboriginality. Self-acceptance can be a liberating experience. For, as Ton Buti points out in his discussion on Assimilation and Identity<sup>259</sup>, a person's racial identity is integral to his or her personal identity.

#### **6.10 Lillian's Kimberley Trip in August and September 2003**

Accompanied by her husband John, Lillian set off on one of her regular trips to the Kimberly<sup>260</sup>. They were motivated to make their annual pilgrimage by a combination of

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<sup>256</sup> I have been unable to locate any direct connections with Uncle Jack to date.

<sup>257</sup> A formal record of his involvement with SWALSC is found at <http://www.noongar.org.au/nrmprojects.php>

<sup>258</sup> 'Yued' is the northern most group of Noongar people of the South West of Western Australia (<http://www.noongar.org.au> Accessed: 13 March 2010).

<sup>259</sup> See Section 7.4.

<sup>260</sup> The Kimberley is located in the northern part of Western Australia; the Indian Ocean is on its west, the Timor Sea to the north, and the Great Sandy and Tanami Deserts to the south, and the Northern Territory to the east.

his love for the Kimberley, and her abhorrence of the cold winter months in the south. This trip, however, would be different. She set off with a special objective in mind. On behalf of the family, she was to visit Uncle Jack Shaw and his family at Fitzroy Crossing<sup>261</sup>. This would be a journey with an important objective, because until now, Uncle Jack Shaw was unheard of by family members. According to our cousin Neville Collard, who had kept contact with him over the years, Uncle Jack claimed to be a brother to Ruby, Marjory, Lilly, Janie, Lena, Benedict and William. For Lillian, this journey was not only one of an investigative nature, but was to become symbolic of an inward journey into identity.

I was able to monitor Lillian's journey, both geographical and emotional, with the help of three postcards she sent to me as she made her way to Fitzroy Crossing. Just before the first card arrived, however, a single willy-wagtail bird (known as the djitty-djitty in Nyoongar Culture) came to my window and continued to squawk without ceasing. Eventually, I pulled the curtain aside thinking that this would frighten it off. To my amazement the bird came even closer and persisted with its squawking. In Nyoongar Culture the djitty-djitty is a messenger bird. Eventually, when it was satisfied that it had delivered its message it promptly left, leaving me to wonder about the meaning of its message.

On receiving each card from Lillian, sent from various stopovers, I began to sense something different to the cards she had sent on previous trips to the north. In the past, they had usually consisted of the usual tourist-type depictions. Each of these cards, however, not only bore Aboriginal artwork from the Kimberley region, but through her animated words she was conveying something of a profound spiritual change taking place within her. Let

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<sup>261</sup> Fitzroy Crossing is 2,500 kms north of Perth, in the Kimberley.

me explain this further by referring to Lillian's own descriptions of two separate trips into Kimberley country.

The first card, sent from Broome (19 August 2003), described her first time meeting with Yvonne Collard<sup>262</sup> in Derby: "Yvonne reinforced the importance of my continuing on to Fitzroy Crossing to meet Uncle Jack." Arriving in Fitzroy Crossing on 3 September 2003, "I came across 'Mangkaja Arts Resource Agency Aboriginal Corporation'<sup>263</sup>. Here I met with a group of women sitting on the ground, painting. I felt something I had never felt before. Whatever it was, it was a stirring deep within." I believe that she was experiencing a type of spiritual awakening. As an Aboriginal person, the seeds of this awakening were within her, and there with the women artists in Fitzroy Crossing, those seeds were infused with new life. It was while at 'Mangkaja' that she came across artwork by Kulyukulu Trixie Shaw<sup>264</sup>, from Fitzroy Crossing. The next postcard she sent me depicted some of Kulyukulu's artwork. It was a representation of her mother and father's country located near Kaningarra<sup>265</sup>, at the southern end of the Canning Stock Route<sup>266</sup>.

Buoyed by her experiences so far<sup>267</sup>, Lillian and her partner then traveled on to Go-Go Station, owned by Jack Shaw and his family. "It was late in the day when we

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<sup>262</sup> Yvonne Collard is related to the Shaws through marriage.

<sup>263</sup> 'Mangkaja Arts' is a thriving Kimberley Art Centre in the township of Fitzroy Crossing about four hours drive east of Broome.

<sup>264</sup> Kulyukulu Trixie Shaw is one of the artists at Mangkaja (<http://www.aboriginalartdirectory.com> Accessed: 31 December 2009).

<sup>265</sup> Kaningarra is located within the Shire of Wiluna. The town of Wiluna is the principal centre in the Shire, and there are a number of mining villages and aboriginal communities. The township of Wiluna is approximately 1000 kms northeast of Perth, on the edge of the desert and the Canning Stock Route (<http://www.wiluna.wa.gov.au> Accessed 31 December 2009).

<sup>266</sup> The Canning Stock Route stretches from Wiluna to Halls Creek in Western Australia crossing the Great Sandy Desert, the Little Sandy Desert and parts of the Gibson Desert. It comprises almost 1900 kms and over 1000 sand dunes of the harshest yet most beautiful country in Australia's outback (<http://www.wiluna.wa.gov.au> Accessed 31 December 2009).

<sup>267</sup> The information I received through the postcards, was further elaborated upon later on, when we were together.

arrived, and as we had to get back to Fitzroy Crossing the same day, time spent at Go-Go Station was limited.” The Southern Shaws had made the first contact with the Northern Shaws. This was an occasion of great joy for all concerned, a joy that was to be relived later, but the next time would include Charlie, his wife and family.

Following on from their Fitzroy visit, Lillian and John returned to Broome, on the 10 September 2003. Now it happened that the Yirra Yaakin Nyoongar Theatre Company<sup>268</sup> was performing there on the coming weekend. Lillian and John decided that this would be a good reason to stay on in Broome an extra couple of days, something they were not originally intending to do. After the performance they got to meet all the crew, and among the crew they discovered another Shaw relation. Clearly, through the Postcards, and later sharing in person, Lillian conveyed to me that as that as a result of her Kimberley visits, a renewed sense of pride and joy at being Aboriginal.

#### **6.11 Lillian’s Kimberley Trip in July 2004**

As a direct result of Lillian’s experiences, Charlie wanted to meet Uncle Jack and his family, and so another Kimberley trip was duly arranged. This time Lillian would accompany Charlie, his wife Marjory, and their son Jason, and so share in a second reunion with Uncle Jack Shaw and his family. This time her visit was of a longer duration.

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<sup>268</sup> An Aboriginal Steering Committee responding to demand from Aboriginal youth to take part in ongoing Youth Theatre programs initiated the Yirra Yaakin Nyoongar Theatre Company in 1993. By the end of 1995, the company was Incorporated, the name Yirra Yaakin had been launched and the Board appointed David Milroy as the first Artistic Director. Pressure from the community meant work was no longer youth-specific, but community wide incorporating art forms other than theatre. In 2008, Yirra Yaakin is Australia’s leading Indigenous theatre company, winning awards for its Theatre, its Governance and its Partnerships. In fifteen years, the company has delivered 36 new works, employed over 500 Aboriginal theatre workers and reached over 400,000 audience and participants. It has also kept true to a vision of Aboriginal control and self-determination, ensuring Aboriginal artists and community have a voice in all levels of creation and production. ‘Yirra Yaakin’ is Nyoongar for ‘stand tall’ (<http://yirrayaakin.asn.au> Accessed: 31 December 2009).

“Having arrived once more at Fitzroy Crossing on 21 July 2004,” Lillian writes, “We are waiting for Charlie, Jason and Marjory to arrive in Fitzroy Crossing. We have been asked by Laurie and Rossita (Uncle Jack’s daughter and son-in-law), to pick Uncle Jack up from the hospital and bring him back to Go-Go Station. He has been receiving treatment for his eyes. Rossita said that you remind her of Uncle Jack.” The succession of subsequent cards I received continued to illustrate Lillian’s growing understanding of her Aboriginality. For example, Lillian writes:

There are so many stories to tell – we have been out at Mt Pierre Station for four days – the old lady they call ‘Granny’ took us out with all her family – we went to meet the river where she went through a tribal ceremony, welcoming us to her land – we had to rub a small rock under our arms and then throw it into the river. After that we have spent two days out in the wild country visiting sacred caves – we have been so privileged, especially as Uncle Jack Shaw himself had never stepped foot on this land! Granny then took us to a place in the caves where her family had lived and worked – the markings on the walls were unreal (28 July 2004).

Lillian later told me that before entering the caves, a gentle wind blew over them. It was pointed out to her that this was an acknowledgement from the cave spirits. The visitors had permission to go inside the caves. From these cultural and spiritual experiences, Lillian experienced the unadulterated and innocent joy of a little child. This was her time of rebirth into her identity. She was now freer to lay claim to the spiritual heritage that she had been born into. The seeds of her Aboriginal identity had begun to sprout. Her “special feeling” of overwhelming joy was endorsed by the ‘Southern Shaws’. I now understood what the djitty-djitty was trying to tell me.



## Chapter Seven

### *My Story Part One: The Pattern of Childhood is Woven*

#### 7.1 Introduction

In this chapter, I argue that I was raised to be vulnerable. I do this to show the connection between childhood experience and outcomes in adult life. I rely on Erik H. Erikson's theory of psychosocial development<sup>269</sup> to support my claim. I draw on Judith Herman's work *Trauma and Recovery – The aftermath of violence – from domestic abuse to political terror* (1997)<sup>270</sup> to further explain the dialect of trauma as leading to predictable psychological harm. I also draw on the findings of Toni Buti<sup>271</sup>, whose work was prepared for the Aboriginal Legal Service (WA), and in turn submitted to the *Bringing Them Home Report*, released in May 1997. I also reference the work of Ceridwen Spark, and Denise Cuthbert<sup>272</sup>. From these sources, I identify influences that shaped my childhood experience, which in turn, laid the foundation for a fundamentally flawed adult life.

I provide details of my childhood by firstly describing the circumstances into which the *Child Welfare Department of Western Australia* formally placed me, whilst under their care. Secondly, I identify the key people involved in the successful attempt to remove me

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<sup>269</sup> For decades, Erik H. Erikson's concept of the stages of human development has deeply influenced the field of contemporary psychology. He has been one of the leading figures in the field of psychoanalysis and human development. He explains his theory in *The Life Cycle Completed* (1982).

<sup>270</sup> Judith Lewis Herman is Associate Clinical Professor of Psychiatry at the Harvard Medical School and Director of Training at the Victims of Violence Program at Cambridge Hospital.

<sup>271</sup> *After the removal: a submission by the Aboriginal Legal Service of Western Australia (Inc.) to the National Inquiry into Separation of Aboriginal and Torres Strait Islander Children from their Families*, prepared by Dr. Toni Buti for the *Aboriginal Legal Service of Western Australia* (1996). The *Bringing Them Home* report was released in May 1997.

<sup>272</sup> Ceridwen Spark and Denise Cuthbert are editors of *Other People's Children – Adoption in Australia* (2009). Topics covered in this work include celebrity adoption, inter-country adoption, gay and lesbian adoption, and Indigenous adoption. Spark has published widely both in academic and mainstream media on a range of topics including gender, race, family and adoption.

from my natural family, and at the same time withhold information about them from me.

Thirdly, I recall my memories of life as an adopted child. In doing this, I am addressing the Cultural question, “Who grew you up?”<sup>273</sup> In their discussion on ‘Identity’, Penny Tripcony and Kaye Price<sup>274</sup> state:

... It’s a matter of who your relations are, who grows you up and who knows you. It has to do with who you are and what you feel; it has to do with family, and a lot to do with community and friends. It has to do with the kinds of things we do as Aboriginal people [and Torres Strait Islander people] - not with what you look like (Oodgeroo Unit, QUT. LEB335, Week 6, Semester 2, 1999).

The key people concerned with ‘growing me up’ (or who ‘held’ me), were not Aboriginal family members, relations or community, but comprised firstly of my adopted mother, and secondly ‘Mother Church’<sup>275</sup>, as embodied by numerous Religious men and women over a significant period of time<sup>276</sup>, and their influence on my life. The first, I pushed away, the second, I embraced with all my heart. The Church profoundly influenced my life from childhood through to adulthood.

I also provide the justifications used by authorities for removing me from my natural family, and describe the historical context in which my adoption took place. Finally,

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<sup>273</sup> Brian McCoy explains how this is understood by the Kukatja people in the desert country of the Kimberley region of Western Australia. In his work, *Holding Men – Kanyirninpa and the health of Aboriginal men* (2008), McCoy discusses the importance of ‘holding’ in Cultural terms. Within this context he also explores trauma and woundedness, especially in relation to Aboriginal men. This phrase is not limited to the Kukatja people, but in fact, is an expression that is used by Indigenous people throughout Australia, including the Nyoongar people of Western Australia.

<sup>274</sup> Dr. Penny Tripcony is the Manager of the Oodgeroo Unit, at the Queensland University of Technology. Dr. Kaye Price lectures at the same university (<http://www.oodgeroo.qut.edu.au> Accessed: 22 May 2009).

<sup>275</sup> ‘Mother Church’ is a traditional way some members refer to the Catholic Church. According to theologian Richard McBrien (Chair of the Department of Theology at the University of Notre Dame, Fort Wayne-South Bend), “The Church is a mother in several senses ... Each of these maternal activities is linked with one or another of the Church’s seven sacraments” (1981: 893).

<sup>276</sup> In later chapters, I provide a detailed account of their respective roles in both my childhood and later adult life.

I make reference to claimant Bruce Trevorrow's successful litigation against the South Australian Government. I do this because of similarities in our respective lives, and because this represents an important stage in the process of government<sup>277</sup> dealings with the *Stolen Generations*.

## 7.2 Erikson's Theory of Psychosocial Development

In this section, I provide a summary of Erikson's concepts that I use to explain vulnerability in my life. Erikson formulates his theory of psychosocial development<sup>278</sup> through 'case-historical' and 'life-historical' experiences. According to this view, a human being's existence:

... depends at every moment on three processes of organization that must complement each other. These processes consist of ... the biological process of the hierarchic organization of organ systems constituting a body (soma<sup>279</sup>); the psychic process of organising individual experience by ego synthesis (psyche<sup>280</sup>); and there is the communal process of the cultural organization of the interdependence of persons (ethos<sup>281</sup>). In the end ... all three approaches are necessary for the clarification of any intact human event" (1982: 25-26).

Erikson claims that if these processes become alienated from each other, then tension, anxiety, and social ineptitude result.

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<sup>277</sup> This refers to the State Government of South Australia.

<sup>278</sup> It needs to be said that Erikson's theory of psychological-psychosocial represents an ideal. As an ideal, it is found to be present or absent within any given childhood experience to varying degrees of success. Erikson acknowledges this through his clinical work in which he comes, "... face to face with the often much more striking way in which these processes, by their very nature, are apt to fail and isolate each other, causing what by different methods can be studied as somatic *tension*, individual *anxiety*, or social *panic*" (1982: 26).

<sup>279</sup> 'Soma' is from the Greek, and relates to the human body (Mautner T. *Dictionary of Philosophy – The language and concepts of philosophy explained*, Penguin Reference, Sydney: 2005:582).

<sup>280</sup> 'Psyche', from the Greek, refers to either the soul or the mind (Mautner: 2005:504).

<sup>281</sup> 'Ethos' is described as "the spirit or character of a culture, a community, or a group ... In ancient Greek, *ethos* meant the character and habits of a person" (Mautner: 2005: 202).

Erikson identifies eight major stages in psychological-psychosocial development<sup>282</sup>, or ego development based on the human strengths of hope, fidelity and care<sup>283</sup>. These, he points out, are among the:

... core psychosexual strengths of syntonic<sup>284</sup> and dystonic<sup>285</sup> tenderness at three crucial stages of life: hope from the antithesis of basic trust versus basic mistrust in infancy; fidelity from that of identity versus identity confusion in adolescence; and care from generativity versus self absorption in adulthood.” In the long term these forms represent, “... basic qualities that in fact qualify a young person to enter the generational cycle and an adult to conclude it (1982: 55).

To elaborate further on Erikson’s concepts, and to justify my argument, infancy is the time when the major emphasis is on the mother’s positive and loving care for the child, with an emphasis on visual contact and touch. It covers birth to eighteen months. If we pass successfully through this period of life, we will learn to trust that life is good, and we should have a basic confidence in the future. If we fail to experience trust and are constantly frustrated because people do not meet our needs, we may end up with a deep-seated feeling of worthlessness and a mistrust of the world in general. The most significant relationship at this time is with the maternal parent, or whoever is our most significant and constant caregiver:

... this first basic strength and root of ego development emerges from the resolution of the first developmental antithesis; namely that of basic trust vs. basic mistrust ... hope bestows on the anticipated future a sense of leeway inviting expectant leaps, either in preparatory imagination or in

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<sup>282</sup> I refer to the first six stages in this part of my writing, referring to the other stages where relevant. The stages listed by Erikson are: Infancy, Early Childhood, Play Age, School Age, Adolescence, Young Adulthood and Old Age (1982: Chart 1, 32 and Chart 2: 56).

<sup>283</sup> Interestingly, these ego strengths correspond to the Catholic Church’s creedal values of hope, faith and charity (1982: 58).

<sup>284</sup> Used here in the Psychiatric sense of “denoting a personality characterised by normal emotional responsiveness to the environment” (dictionary.reference.com, Accessed: 28 March 2010)

<sup>285</sup> ‘Dystonic’ refers to the “abnormal tone of any tissue” (<http://www.dictionary.reference.com> Accessed: 28 March 2010).

small initiating actions. And such daring must count on basic trust in the sense of a trustfulness that must be, literally and figuratively, nourished by maternal care ... (1982: 60).

Erikson nominates a sense of basic trust as a fundamental prerequisite for later mental powers, and it is during the first year of life that a child develops an attitude of trust towards her/himself and others. A child's view of self, the world and the relationship between the two, begin in the early experiences of infancy.

The next stage of ego development, eighteen months to three years is '*autonomy versus shame*'. During this stage, we learn to master skills for ourselves, such as walking and talking. This provides the opportunity to build self-esteem and autonomy, as we gain more control over our bodies. At this time, we learn right from wrong. The most significant relationships at this stage are with our parents or caregivers. This is also a vulnerable time in that if we are shamed we may feel shame and doubt in our capabilities, as a result. A lack of confirmed fidelity will result in:

... pervasive symptomatic attitudes such as diffidence or defiance, and even a faithful attachment to diffident or defiant cliques and causes ... we see in our sickest young individuals, in adolescence, semideliberate regression to the earliest stage in order to regain ... some fundamentals of early Hope ... (1982: 60).

The years three to five constitute for Erikson, 'the play age', in which the ego development outcome is '*initiative versus guilt*'. During this period, we experience a desire to copy the adults around us and take initiative in creating play situations. Children role-play experimenting with what is they believe to be an adult. If we are frustrated over natural desires and goals, we may easily experience guilt.

The next stage in Erikson's psychological-psychosocial development is six to twelve years, and these constitute 'school age', which has for its ego development outcome '*industry versus inferiority*'. During this latent stage, we are capable of learning, creating and accomplishing numerous new skills and knowledge, thus developing a sense of industry. This is also a very social stage of development, and if we experience unresolved feelings of inadequacy and inferiority among our peers, we can have serious problems in terms of competence and self-esteem. As our world expands, our most significant relationship is with the school and neighborhood. Parents are no longer the complete authorities, but are still important.

Continuing with Erikson's psychological-psychosocial development, the years twelve to eighteen constitute our adolescent years and the ego development outcome is "identity versus role confusion". Up to this stage, according to Erikson, development mostly depends upon what is done to us. From here on, development depends primarily upon what we do. While adolescence is a stage at which we are neither a child nor an adult, life is definitely getting more complex as we attempt to find our own identity, struggle with social interactions, and grapple with moral issues. Our task is to discover who we are as individuals, separate from our family of origin, and as members of a wider society. Unfortunately for those around us, in this process many of us go into a period of withdrawing from responsibilities, which Erikson called a 'moratorium'. If we are unsuccessful in navigating this stage, we will experience role confusion and upheaval. A significant task for us is to establish a philosophy of life and in this process we tend to think in terms of ideals, which are conflict free, rather than reality, which is not. The problem is that we do not have much experience and find it easy to substitute ideals for experience.

However, we can also develop strong devotion to friends and causes. Our most significant relationships are with peer groups.

The years eighteen to thirty-five represent young adulthood for Erikson, in which the ego development outcome is “intimacy and solidarity versus isolation” (1982: 234f). If negotiating this stage is successful, we can experience intimacy on a deep level. If we are not successful, isolation and distance from others may occur. When we do not find it easy to create satisfying relationships, our world can begin to shrink, as, in defense, we can feel superior to others. Our significant relationships are with marital partners and friends. In the initial stage of being an adult, we seek one or more companions and love.

Erikson’s theories of psychological – psychosocial development outlined above suggest how deficits in early upbringing can result in problems in later life. This was the case in my life.

### **7.3 Judith Herman and disconnection**

To further substantiate my argument that childhood experience and outcomes in adult life are connected, I draw on Judith Herman (1997), an Associate Clinical Professor of Psychiatry at the Harvard Medical School, and Director of Training at the Victims of Violence Program at Cambridge Hospital (an affiliate of Harvard). Her work, *Trauma and Recovery – The aftermath of violence – from domestic abuse to political terror* (1997), is based on the belief that, “The conflict between the will to deny horrible events and the will to proclaim them aloud is the central dialectic of psychological trauma” (1997: 1). She believes in the importance of stories of trauma being told. She asserts that the study of psychological trauma is to come face to face with human vulnerability in the form of an existential crisis:

Traumatic events call into question basic human relationships ... They shatter the construction of the self that is formed and sustained in relation to others. They undermine the belief systems that give meaning to human experience. They violate the victim's faith in a natural or divine order and cast the victim into a state of existential crisis (51).

For Herman, basic trust should be acquired in "... earliest life in the relationship with the first caretaker" (51). This sense of trust should sustain a person throughout life, and "... forms the basis of all systems of relationship and faith" (51). Basic trust as referred to by Herman is, on the one hand, the foundation of a positive belief, which equips a person to grow into their human life undamaged. On the other hand, devoid of basic trust, a person is in a state of existential crisis, disconnected from others in the wider society. Because, for Herman, a secure sense of connection with caring people is the foundation of personality development, when this is sabotaged, the traumatised person loses all sense of self, autonomy is violated, and belief in one's self in relation to others is destroyed (Herman: 1997: 52, 53). Whenever child development is unsatisfactory, inner conflicts over initiative and competence leave the person prone to feelings of guilt and inferiority, thereby compounding their vulnerability.

My story reveals that I began my life journey lacking the basic psychological components, referred to by Erikson and Herman, and that confusion on many levels emerged as the result of being separated from my natural family, and being placed by the State Government into a situation that was deficient in the basic requirements needed for a healthy childhood. The legacy of these things is connected to outcomes in later life, which include a lack of identity, confusion over myself as a sexual being, and a fundamental sense of insecurity within the wider society, prohibiting an ability to relate to others.



#### 7.4 The Legislative framework surrounding fostering and adoption

In this section, I provide a description of the legislative framework within which my adoption occurred. I do this to situate my story within an historical context, drawing largely on Toni Buti's findings. In addition to institutionalising children, by the 1950s and 1960s, Buti explains how the Western Australia government<sup>286</sup> added fostering and adoption<sup>287</sup> to their assimilation strategies. As Christine Cheater<sup>288</sup> explains:

During the 1950s and 1960s, authorities removed children for alleged neglect, juvenile delinquency or because their mothers were deemed unfit ... The children most likely to be adopted were "light skinned" infants who authorities determined would be better off if they were raised in the white community (in Spark and Cuthbert: 2009: 182)289.

Many children who were removed through adoption or fostering had similar experiences to those who were institutionalised. Both experienced maternal deprivation and loss of their childhood, rendering them equally vulnerable. Stories recorded by the *Bringing Them Home* Report repeatedly testify to this claim<sup>290</sup>.

By drawing on my childhood recollections of what it was like to be born with Aboriginal heritage in 1948, I show something of the attitudes and practices associated with the Western Australian State Government's dealings with fair skinned Nyoongar children at

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<sup>286</sup> As Trevorrow's story shows (referred to later in this chapter), this was not limited to the Western Australian government alone.

<sup>287</sup> However, other factors surrounding the practice of adopting children also need to be taken into account. Some people, for example, may have wanted to adopt as they were unable to have children of their own. In my case, it could be said that my adopted mother wanted children of her own, but lacked the necessary emotional or financial resources necessary for a parent to support a child, especially in Erikson's terms, a fundamental feature overlooked by the authorities.

<sup>288</sup> Christine Cheater is a professional historian and lecturer at the University of Newcastle. She is one of the contributors to Spark and Cuthbert's work on 'Adoption in Australia' (2009).

<sup>289</sup> Buti also acknowledges the increase in the adoption and fostering of Aboriginal children throughout the 1950s and 1960s.

<sup>290</sup> See especially Chapter 22: 463f, of the *Bringing Them Home* Report.

that time. The underlying principles contained in the legislation relating to my Aboriginal ancestors (in particular the *Aborigines Act* 1905<sup>291</sup>), continued to be applied in principle to Aboriginal children through the application of the *State Children's Act* 1907 (number 31, Part IV, Committal of destitute or neglected children)<sup>292</sup>, and the *Child Welfare Act* 1947<sup>293</sup>. These later *Acts* related directly to my adoption, which provide the legal basis justifying my removal from my natural family<sup>294</sup>. Cheater notes that:

From the mid 1940s the states began to apply general child welfare laws to Aboriginal children ... The change in policy [from protection to assimilation] simply gave welfare officers more excuses to remove children (in Sparks and Cuthbert: 2009: 181-182).

As Toni Buti further reveals, Aboriginal children have been removed under these Acts (1996: 21). The *State Children's Act* 1907 (WA), for example, meant that authorities:

... had the care, management and control of the persons and property of all State children, and the supervision of all children nursed by foster mothers. A 'state child' meant a 'destitute child' or 'neglected child' received into a government institution or a subsidised institution, or apprenticed or placed out under the authority of the Act ... Private persons or societies could be approved by the governor as a person or society to whose care destitute or neglected children could be committed, and where a child was committed to such a person or society, the person or manager of the society became the guardian of the child (Buti: 1996: 21).

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<sup>291</sup> I mention the *1905 Act* because of its particular significance. I acknowledge, however, that the history of legislation relating to Aboriginal people in Western Australia begins much earlier than this.

<sup>292</sup> <http://www.aiatsis.gov.au/library> Accessed: 18 April 2009.

<sup>293</sup> <http://www.austlii.edu.au> Accessed: 18 April 2009.

<sup>294</sup> *The National Inquiry into the Separation of Aboriginal and Torres Strait Islander children from their families* (NITSATSIC), found that the high levels of child removal welfare and child protection interventions, as well as criminalisation and incarceration of Indigenous youth throughout Australia, " ... effectively amounted to a new practice of forced separation which *mirrored* earlier colonial practices (Cunneen and Libesman: 1998, and [http://www.hreoc.gov.au/social\\_justice](http://www.hreoc.gov.au/social_justice) Accessed: 18 April 2008). Terry Libesman is a Lecturer in Law at the University of Technology, Sydney. Chris Cunneen is an Associate Professor in the Faculty of Law, Sydney University. This citation is based on the authors' Report into substantiated cases of emotional abuse and neglect against Indigenous children in NSW.

In 1947, *The Child Welfare Act* (WA) legislated the creation of the *Child Welfare Department*, which was subject to the regulations and the direction of the Minister who had the care, management and control, of the persons and property of all Wards of the State. As I was born one year after the enactment of this legislation, and as a Ward of the State, I was subject to this Act. Section 29 of this Act empowered authorities to apprehend any child in need of care or protection:

(1) Any officer of the Department authorised by the Minister and any police officer may, without warrant, apprehend any child appearing or suspected to be in need of care and protection.

(2) When any such child is apprehended, pending the hearing of the application, the child shall be

(a) taken to his place of residence and there left, upon the recognizance of a near relative for his appearance;

(b) placed with some respectable person and such arrangement or agreement may be made as may be necessary or proper for the care and maintenance of that child; or

(c) taken to and placed in any Departmental facility of an appropriate kind, or such other suitable place as is approved by the Director-General.

Buti explains:

As with the State Children's Act 1907 (WA), there was provision for committal to the care of private persons or societies, and again the person or manager of the society was to become the guardian of the child to the exclusion of every other guardian until the child attained the age of 18years (with the provision in the case of females for the guardianship to extend until age 21) (Buti: 1966: 22).

Buti's work provides an empirical study of child removal from Aboriginal families. His findings are made all the more compelling when they are compared to the United States of America and Canada, where children have been affected by similar policies. His broader

research reveals a consistency of negative outcomes for individual families, communities and their respective Cultures.

#### **7.5 Psychological ramifications associated with fostering and adoption**

Buti argues that a person's racial identity<sup>295</sup> is integral to a person's development. He outlines in depth the trauma of separation from family, resulting in "... widespread mental distress", a finding that agrees with Erikson's "identity versus identity confusion" (1982: 55), and Herman's "state of existential crisis". Buti maintains that this in turn manifests itself through domestic violence, substance abuse, lack of parenting skills, sexual abuse, rising crime rate and subsequent imprisonment. He identifies how removal can affect a person's capacity to develop a sense of belonging and of being wanted, later in life, arising out of a loss of self-esteem and confidence, thereby rendering them among the most vulnerable of people.

Buti found that children who have been separated from their parents, regardless of whether they have been placed in an institution, fostered or adopted, experience heightened concern and anxiety over the issue of identity, particularly during adolescence. This corresponds to Erikson's principle of 'trust versus mistrust', and Herman's concept of 'basic trust' as the foundation of a positive belief, which equips a person to grow into a human life undamaged. Children who have been adopted trans-ethically experience additional anxiety and in some cases confusion over the issue of their racial or Cultural

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<sup>295</sup> I acknowledge the important distinction between 'Race' and 'Ethnicity'. Race describes biological descent; hence, there is only one race, the Human Race. Ethnicity describes cultural heritage: Black is an ethnicity, White is an ethnicity, and so is Caucasoid. Where writers have used the term 'race', I have adhered to that use.

identity. In my adolescent years, I experienced an overwhelming inferiority complex. I was devoid of any sense of self-worth, an experience that was compounded by a lack of identity, of not knowing who I was, and where I had come from. Such moments in my early life, are moments of awkwardness, as I attempt to describe through the reference to Sally Morgan in the following Chapter. This inherent negative view of self persisted into adulthood, and with the aid of alcohol, would manifest itself with overt declarations of, “I am no good”. My feelings of worthlessness are reflected in Carolyn Attneave’s<sup>296</sup> view that:

The foster child and the adopted child pose special problems, for they must forever try to integrate themselves into different racial and cultural milieus, as well as resolve their personal identity problems. The boarding-school-reared adult at least has group support for his identity, even though he may be short changed on life’s experiences (1973: 32).

Drawing on experts such as John Bowlby, a child psychiatrist<sup>297</sup>, and Joseph Westmeyer, a psychiatrist<sup>298</sup>, Buti records outcomes in later life, which I can strongly identify with. These include an inability to make more than superficial relationships; a lack of an appropriate emotional response to certain situations, withdrawing from people who wanted to help; being suspicious and mistrusting of others; telling lies (about my home situation); suffering anxiety and depression; personality disorders and general maladjustment; an insecurity and

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<sup>296</sup> Carol Attneave (1920 - 1992) was a Delaware and Cherokee psychologist and a professor of Psychology at the University of Seattle. She was born in 1920 in El Paso, Texas, and served as a naval officer during World War II. She was President of the American Indian Psychologists Association from 1978 - 1980 and was a consultant to tribal and urban mental health programs (<http://www.google.com> Accessed: 21 September 2007).

<sup>297</sup> John Bowlby was a British psychiatrist and psychoanalyst, notable for his interest in child development and for his pioneering work in attachment theory.

<sup>298</sup> Joseph Westmeyer is currently Professor of Psychiatry at the University of Minnesota, and medical director of the Addiction Disorder Service at the Minneapolis Medical Centre (<http://www.apsadconference.com.au> Accessed: 21 November 2008).

an inability to form ordinate attachments; retardation of emotional development, and an inability to love or accept love.

Citing evidence from cross-cultural studies in other contexts, Buti argues that adolescent Aborigines will experience confusion and maladjustment because they must choose between conflicting role models embodying different values, expectations, and behaviour. A witness statement, taken from the *Royal Commission into Aboriginal Deaths in Custody*<sup>299</sup> sums it up: “If the Aboriginal child begins to deny his Aboriginality a very troubled life lays ahead ...” (Buti: 1966: 82).

Legal scholar, Kerry O’Halloran, refers to adoption as, “... an action which centres on and transforms other people’s children into their own” (in Spark and Cuthbert: 2009: 1). This statement goes to the heart of what takes place when any child is legally adopted. In the past, authorities identified the adoptive parents as the ones exercising primary control. For many years in Australia, adoptions were conducted in such a way that any agency of control by birth mothers and the children themselves, was virtually non-existent (Spark and Cuthbert: 2009, 3)<sup>300</sup>.

In the past, adoptions were usually shrouded in secrecy. It was not until I had reached adolescence, for example, that the first attempt to tell me about my true family occurred<sup>301</sup>. The matter of secrecy, that is, the withholding of biological information from

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<sup>299</sup> The *Royal Commission into Aboriginal Deaths in Custody* (1987-1991), studied and reported on the high level of deaths of Aboriginal people whilst in custody after being arrested or convicted of committing crimes. This included suicide, natural causes, medical conditions and injuries caused by police.

<sup>300</sup> See Chapter Five, where it is formally recorded that my adoption could be granted without our mother’s consent.

<sup>301</sup> The source was a “sister of Ruby”, who, according to *Child Welfare* records, “... told Gerrard all about his people and that she would be taking him to see his mother” (Mulv1000-005, 11 October 1995).

an adoptee, according to Allan N. Schwartz<sup>302</sup>, “... is credited with fueling several types of negative outcome issues for adoptees”. In her research on the effects of separation from the birthmother on adopted children, Nancy Verrier<sup>303</sup> traces the source of vulnerability, which accounts for issues in adopted children to:

... the severing of that connection, a connection established during the nine months in utero, is a profound connection, and it is my hypothesis that the severing of that connection between child and biological mother causes a primal or narcissistic wound which often manifests in a sense of loss (depression), basic mistrust (anxiety, emotional and/or behavioural problems), and difficulties in relationships with significant others. I further believe that the awareness, whether conscious or unconscious, that the original separation was the result of relinquishment affects the adoptee’s sense of Self, self-esteem and self-worth (www.terrylarimore.com Accessed: 6 June 2010).

The many stories told by *Stolen Generations* people who were fostered or adopted, testify to this. Bruce Trevorrow’s story is but one example.

#### **7.6 Bruce Trevorrow – different stories, same message**

Every story provided by those removed from their families is profoundly personal, and therefore unique<sup>304</sup>. Details may vary from story to story, but the rationale behind the action of child removal of Aboriginal children is usually the same: to assimilate Aboriginal children into the wider white community<sup>305</sup>. The uniqueness of Trevorrow’s story lies in its

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<sup>302</sup> This statement was made within the context of adoption and offending behaviour, within an American perspective (www.amfor.ne, Accessed: 3 April 2010). As a certified Psychoanalyst, Dr. Allan Schwartz has been in private practice for more than twenty years. He is a Licensed Clinical Social Worker in the states of Colorado and New York (<http://www.mentalhelp.net> Accessed: 3 April 2010).

<sup>303</sup> Nancy Verrier, M.A. is a former teacher, psychotherapist, lecturer and author of *The Primal Wound: Understanding the Adopted Child* (1993), and *Coming Home to Self: The Adopted Child Grows Up* (2003).

<sup>304</sup> See *Bringing Them Home Report*, Many Voices Mellor and Haebich (Eds): 2002, *When the Pelican Laughed*, Nannup: 1992, *Many Voices, Reflections on experiences of Indigenous child separation*, Mellor and Haebich (Eds): 2002 and *Echoes of the Past – Sister Kate’s Home Revisited*, Morgan (Ed): 2002, to name but a few.

<sup>305</sup> Other reasons may be identified in some cases.

outcome. The headline in the “Features” section of *The Australian* read, “One Stolen Life Restored” (Friday August 3 2007, p.11). The same newspaper suggested that Trevorrow’s day in court will contribute to easing the pain of nearly forty years of suffering<sup>306</sup>.

According to *The Australian*, Trevorrow lived with his mother, Thora Frances Lampard and her de facto husband, Joe Trevorrow. Both mother and child experienced a traumatic start to life. Thora suffered from severe pre-eclamptic toxemia, a potentially life-threatening condition. Trevorrow developed the more common condition neonatal sepsis. He responded to the treatment provided by the Adelaide Children’s Hospital, and was duly discharged and able to return home to live with his mother and father and three siblings at One Mile Camp, a former Aboriginal Settlement 150km from Adelaide. Their home was a shack that Joe Trevorrow built from flattened tin drums and lined with Hessian bags. He had regular work. He would often take his two eldest boys fishing, hunting kangaroos and emus, and taught them how to live off the land in traditional Aboriginal ways. The children loved their father and have fond memories of him. However, Marjorie Angas, a welfare officer at the time, claimed that Joe was illiterate and a habitual drunkard<sup>307</sup>. Angas took issue with the fact he had not divorced his previous wife and that Thora Lampard was “living improperly” with him. Later, in the course of the court proceedings related to Trevorrow’s removal, the other three Trevorrow children Hilda, Tom and George, testified that their dad was “... never a boozier ... that their parents cared for them well, that they never went hungry and were never left without an adult to care for them.” It is significant to note that the children lived among a vast network of relatives and friends.

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<sup>306</sup> The reporter for this article is Jill Singer. Singer is a Walkely award winning journalist, author and broadcaster who followed Trevorrow’s case from the beginning.

<sup>307</sup> Interestingly, the article in *The Australian* (August 3 2007: 11), states that this same officer met Joe six years later and reported that he “... was an honest, genuine type of man who did quite a good job of keeping his family”.



On Christmas Day 1957, Joe Trevorror was caring for his four children while Thora was away on a week's visit to friends and family at Tailem Bend. During her absence, Trevorror succumbed to infectious diarrhea (a condition that was endemic across South Australia at the time). In his effort to get help with dealing with his son's illness, Joe approached local policeman F.E. Liebing<sup>308</sup> and requested that he call an ambulance for his 13-month-old son who had stomach pains. Despite Trevorror's father insisting on the urgency of the situation, Liebing refused to act. Joe then turned to neighbors<sup>309</sup> with a car, asking if they could transport Trevorror to the hospital. These neighbors (Mr. and Mrs. Evans), took the baby to the Adelaide Children's Hospital where unbeknown to his family staff wrongly recorded his admission as "neglected child without parents".

An advertisement later placed in the newspaper by the South Australian authorities, called for foster parents for allegedly abandoned children and neglected Aboriginal babies. Martha Florence Davies read this and together with her husband Frank, acted upon it, believing that "... black babies could be every bit as good as white ones" (11). Accordingly, they opened their home to Trevorror, and without his parents knowledge or permission, he became their foster son, and brother to their own two children.

Despite constant contact with the *Aborigines Protection Board*, Joe and Thora were denied the truth about their youngest son's whereabouts. Thora eventually wrote to the welfare officer, Marjorie Angas:

I am writing to ask if you will let me know how baby Bruce is and how long before I can have him home as I have not forgot I got a baby in there

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<sup>308</sup> According to the newspaper report (*The Australian*, August 3 2007, 11), this same policeman had visited the family a few days earlier and reported 'no problems'. It can only be concluded that illness struck Trevorror quite suddenly after this visit.

<sup>309</sup> The newspaper report indicates that 'the neighbours' referred to were Mr. and Mrs. Evans, "... a white man married to an Aboriginal relative of Lampard" who, as Trevorror's legal team said, "... for some unbeknown reason had a "dim view of Joe Trevorror and Lampard" (11).

and I would like something defenat [sic] about him this time trust you will let me know as soon as possible (The Australian: 11).

A reply from Angas came three weeks later, and it was a lie. The welfare officer told Thora that her son was still sick and under medical care:

Bruce is making good progress but as yet the doctor does not consider him fit to go home (The Australian: 11).

To further compound the illegal removal of Trevorrow from his parents, the court demonstrated that the suitability of Trevorrow's foster parents was highly questionable, thereby suggestive that the authorities failed in their duty of care. For example, they had left behind an 18-year-old retarded foster child when they migrated to Australia. Eventually, the Davis home was classified as a 'closed house', and they lost their license to foster other children.

Martha Davis reared Trevorrow to believe that he was white. He remembers his exclusively white fellow students taunting him with words such as 'boong' and 'darkie'. His parents told him to "... just tell people you've got some dark relatives in another county". Trevorrow caused his foster parents much concern. He exhibited considerable behavioral problems and displayed symptoms of emotional disturbance. His foster mother warned him that "... he would be given away if he didn't behave". When he became too much for her the State handed him back to his natural family. By this time, Joe Trevorrow was dead and Thora was married to another man and pregnant. Reunion between mother and son was fraught with problems. The State consequently placed the boy, then ten years of age, into institutional care. Years later, Trevorrow was awakened at night in a cold panic:

he was a child again, trapped and alone. There were bars on the windows. It was cold and he wanted to break free and run away. But he had no place to run and no one to run to.

As Trevorrow grew up, he acquired a criminal record. He developed an alcohol addiction fed by a profound sense of isolation. He was riddled with a sense of worthlessness. He became a loner, desperately striving to belong. Haunted by the thought that he could have been abandoned, he began to question why he had been fostered and then institutionalised. He set about searching for answers to his confused identity.

In 1994, he approached Joanna Richardson, then a legal practitioner with the Aboriginal Legal Rights Movement (SA). In April of that same year, Richardson wrote to the *SA Department for Family and Community Services*, seeking information about Trevorrow's removal from his mother. Large amounts of information were unearthed and legal proceedings began in July 1998. Twenty-one volumes of documents were filed, providing a comprehensive record of Trevorrow's traumatic childhood. Prominent human rights lawyer, Julian Burnside QC and junior counsel, Claire O'Connor handled his case. Trevorrow became the first person to win a *Stolen Generation's* claim in an Australian court<sup>310</sup>.

As a result, of Trevorrow's successful claim for compensation for being removed from his family, I contacted the Western Australia Aboriginal Legal Service to find out how they viewed a similar claim being made in this state. I was surprised to learn that they needed a couple of weeks to gather all the necessary information to ascertain the legal viability of making claims on behalf of Stolen Generation people in Western Australia. Not

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<sup>310</sup> The Supreme Court of South Australia found that he had been unlawfully taken from his family in 1958. Bruce Trevorrow died, aged 51, June 19 2008.

satisfied with what I considered a somewhat lackadaisical response I proceeded to contact Clair O'Connor, the junior counsel involved in Trevorrow's case. I sent her an e-mail telling her of the apparent reluctance and indecision of the *Aboriginal Legal Service WA* (ALSWA). I sent the e-mail on a Saturday, and received the following reply the next day, a Sunday:

I am more than happy to advise the lawyers at the legal service in Perth as would Julian Burnside ... Get them to contact me or forward this e-mail to them (Anthony Mason Chambers, 12th August 2007).

I duly forwarded her e-mail in the hope that the relevant lawyers at Aboriginal Legal Service (WA) might access this valuable source. Dissatisfied with the lack of response from ALSWA I contacted Slater and Gordon, a nationwide legal firm. The information they provided was presented in a way that was both comprehensive and compassionate. Further, it provided a possible explanation for the apparent reluctance by ALSWA. Most importantly, they clearly explained why any similar claim to that made by Trevorrow in South Australia could never succeed in Western Australia. This is because in Western Australia there is the 'Statute of Limitation'. This law refers to the term 'limitation period'. It is defined as the maximum period of time which can elapse from the time of a cause of action arising until the commencement of court proceedings pertaining to that cause of action (s12 *Limitation Act* 2005 (WA))<sup>311</sup>. This means, for example, that I should have lodged a claim when I was eighteen years of age. The lawyer who contacted me on behalf of Slater and Gordon went on to explain that given the number of *Stolen Generations*

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<sup>311</sup> The law operates to prevent a potential plaintiff from bringing an action after a substantially long period of time after it first arises. If this cause of action were to be permitted to go ahead in these circumstances it could have a problematic effect on the administration of the court proceedings as it relates to the evidence presented, namely the availability of witnesses and documents and the accuracy of detail which is subject of the evidence ([http://www.ahernslawyers.com.au/web/factsheet\\_3355.htm](http://www.ahernslawyers.com.au/web/factsheet_3355.htm) Accessed: 6 October 2007).

people in Western Australia, the government would go broke overnight if we all submitted a claim at one time<sup>312</sup>. Despite this legal barrier, many hoped that the then Premier (Alan Carpenter, former Minister for Indigenous Affairs) would set up a tribunal to deal with any such claims sometime in the future. This would mean that claims would be kept out of the courts, and in turn, minimise the trauma and emotional pain that would necessarily be associated with long, drawn out litigation proceedings. Trevorrow's case spanned nine years.

In an interview with Jessica Strutt and Amanda Banks from the *West Australian*, Mr. Carpenter conceded that, "... the landmark judgment in South Australia in which an Aboriginal man taken from his mother was awarded \$525,000 compensation could have significant ramifications in WA" (Strutt and Banks 2007, 4). In this same interview, Mr. Carpenter conceded, "... the *Stolen Generations* was a major issue for the State and that he was keen to discuss the issue with [the] Aboriginal Legal Service [of WA]."

Out of subsequent discussions with ALSWA, the State Government created *Redress WA* (with applications opening 1st May 2008), inviting all people (regardless of ethnicity), and who had been in State care, to submit a claim if they had been abused in any way. In a message from the then Minister for Child Protection; Communities; Women's Interests, Seniors and Volunteering, Sue Ellery MLC explained that, *Redress WA* was a governmental attempt to acknowledge the past by offering:

... an apology and acknowledgement to those who in the past have suffered when the State did not provide a proper level of care ... Money cannot make up for the abuse some people suffered in State care. However, the experience of abuse may have resulted in missed

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<sup>312</sup> I understand that there would be at least a thousand claims (and I believe this to be a conservative estimate) made on the Western Australian government. The *West Australian* reported the day after Trevorrow's successful claim that "WA stolen generation claims to cost millions" (4 August 2007).

opportunities in life, together with emotional pain and suffering. It is appropriate, therefore, that some payment is made available ... (Undated Brochure).

It is important to note, that this attempt by the government was limited to those who had been in State care, and did not relate to those who were removed from their families, such as members of the *Stolen Generations*. A formal acknowledgement of people who had been removed from their families was delivered by the then Prime Minister, Kevin Rudd.

In the House of Representatives, Parliament House Canberra, on 13 February 2008, Prime Minister Kevin Rudd delivered a long awaited apology to the *Stolen Generations* when he moved:

That today we honour the Indigenous peoples of this land, the oldest continuing cultures in human history. We reflect on their past mistreatment. We reflect in particular on the mistreatment of those who were Stolen Generations — this blemished chapter in our nation's history. The time has now come for the nation to turn a new page in Australia's history by righting the wrongs of the past and so moving forward with confidence to the future  
([http://www.pm.gov.au/media/Speech/2008/speech\\_0073.cfm](http://www.pm.gov.au/media/Speech/2008/speech_0073.cfm) Accessed: 29 September 2008).

The apology made by Prime Minister Rudd on that historic occasion re-ignited public debate about compensation for members of the *Stolen Generations*. It was no surprise when ALSWA admitted that, "... the evaluation, management and prosecution of the number of claims was beyond the limited funding and resources of ALSWA" (20 February 2008). Fortunately for all concerned, ALSWA were successful in establishing an historical teaming agreement with Perth Law firm Lavan:

The Aboriginal Legal Service (Inc) of Western Australia (ALSWA) are excited to announce that they have formed an historic teaming agreement, which will result in the evaluation, management and prosecution of up to 1000 cases for members of the Stolen Generation (20 February 2008).

While monetary compensation can be a source of empowerment, and a way of making reparation for lost years, what most are seeking above all, is formal recognition of their stories.<sup>313</sup>

#### **7.7 Similarities between Bruce Trevorrow's story and my own**

Trevorrow and I reached a point in our respective lives when we needed to ask basic questions about identity and origins. Trevorrow reached this critical point after a life of alcoholic addiction and imprisonment. Questions such as “why was he abandoned?” and “why had he been fostered and then institutionalised?” had haunted him. Understandably, he was profoundly confused about his identity. Finally, he felt impelled to search for answers to these questions. His search began when he contacted Joanne Richardson, referred to earlier.

Like Trevorrow, it was only after a life of feeling utterly worthless and extremely isolated, of failing to fit in (even after being ordained as a Catholic priest), of alcoholic dependence and eventual imprisonment, that I too became aware of the overwhelming need to undertake a similar search. As it was for Trevorrow, so it was for me. It was a search for answers to “who am I?” and “where do I come from?” as I finally acknowledged the utter confusion over my identity and the many personal problems that had riddled my adult

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<sup>313</sup>A submission was lodged with *Redress WA* (31 October 2009), through the *Aboriginal Legal Service (WA)*. On 6 May 2010, the government of Western Australia formally acknowledged their neglect while I was in State care, “resulting in harm injury and loss”. The question of removal has yet to be addressed.

years. These problems, fueled by alcohol, compounded by deep depression, have robbed me of a meaningful and fulfilled life. Something had been missing from the way I had been grown up. Having reached my lowest ebb, I decided to set about building a new life. This began by firstly reclaiming the name that was stolen from me.

Both Trevorrow and I, and thousands like us, had been deliberately cut off from our ancestral and cultural heritages. I was fostered at first, and then adopted. In both cases, it can be argued that the authorities were guilty of breaching their duty of care. The South Australian government played a key role in causing a lifetime of depression and other problems for Trevorrow. He has received legal acknowledgement of this fact. The West Australian government, I would argue, played a key role in leaving me with a legacy of life-long difficulties similar to those of Trevorrow.

In the following section, I revisit the process of my adoption by addressing the questions of how it came about, where it began, and who was involved.

### **7.8 An account of how my adoption came about**

My adoption began with our mother needing to travel the State to look for work<sup>314</sup>. The *Child Welfare Department* held a list of names of those it considered respectable as carers and/or future foster parents. Included in this list was Mary Mulvale<sup>315</sup>. Initially, our mother

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<sup>314</sup> “It was noted that baby Shaw ... aged 11 weeks was living with Mary Mulvale being left with her daily by his mother who was a cook at St. John of God Hospital” (DPC MULV1000-005, File 672/44). Like most Nyoongar women of her time, our mother had received her training as a domestic within an institutional setting. The various institutions that existed throughout Western Australia at the time trained Aboriginal women in this area so that they could provide cheap domestic labour for the white pastoralists. Their work usually consisted of child minding, cooking and cleaning. Our mother had received her training at the New Norcia mission, north of Perth. Following the death of her mother, Victoria Blurton, her stepfather, Charles Fitzgerald, under ‘advice’ from the Department, placed her and the other children into the Moore River Native Settlement and later orphanages at New Norcia. For a more detailed account of the various assignments given to our mother by the Department, see Chapter Five.

<sup>315</sup> Mary Mulvale first applied for her licence to act as a foster-mother on 15 September 1944. The application was approved on 28<sup>th</sup> September 1944. Records show that she was successful in renewing her licence in 1945



left me in her care on a daily basis. Unwittingly, our mother played into the conspiring hands of both the State government and Mary Mulvale because she was not to see me again, until some forty years later, shortly before her death. Seven years after her agreeing to care for me on a daily basis, Mary Mulvale succeeded in sealing my fate by adopting me against my mother's will, and the will of my immediate family.<sup>316</sup>

Because State legislation had defined the status of Aboriginal people (as I have shown through my ancestral research), and because Aboriginal people lacked access to appropriate legal advice as a result, our mother and other family members were powerless to prevent my adoption<sup>317</sup>. However, this did not prevent our mother and other family members from attempting to keep me with them. In an interview between the *Child Welfare Department* and our mother, she clearly expresses her intention to withhold her consent to my adoption. Despite this, the welfare officer informed her that the application for my adoption had already become subject to the due process of law, that the Department had placed the application before a judge of the Supreme Court, and that it was possible for the judge to grant the adoption without her consent<sup>318</sup>. The option of leaving me with other family members (a culturally appropriate Aboriginal practice<sup>319</sup>) was not available to our

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and again in 1948 (MULV1000-005, File 672/44: Accessed 11<sup>th</sup> October 1995). While I do not make any moral judgements on Mary Mulvale (apart from her total disregard for the feelings of my natural family), her inclusion is central to my story. She was a key person in the process of my removal. Her apparent naive outlook on life notwithstanding, I regard her as colluding with the relevant authorities in the execution of social policies concerning Aboriginal people.

<sup>316</sup> I can remember strangers knocking on the front door from time to time. I was told that, "They are black people, they are bad people", when I asked who they were. I now know that they were my mother, brothers and cousins.

<sup>317</sup> This is precisely what Roland Barthes is referring to in 'Dominici, or the Triumph of Literature', (*Mythologies*, 1957): "Naturally, everyone pretends to believe that it is the official language which is common sense, that of Domini being only one of its ethnological varieties, picturesque in its poverty. And yet, this language of the president is just as peculiar, laden as it is with unreal clichés; it is a language for school essays, not for a concrete psychology ... These are in actual fact two particular uses of language which confront each other. But one of them has honours, law and force on its side" (144-45).

<sup>318</sup> MULV1000-005, File 672/44, Accessed: 11 October 1995.

<sup>319</sup> It must be remembered that our mother grew up in a rural setting at a time when Aboriginal people were

mother, as the welfare authorities regarded reliance on community or family members as a sign of neglect<sup>320</sup>. Children regarded by authorities as neglected, were of particular concern:

A destitute or neglected child under 18 years could be institutionalized or apprenticed to work as a State Child (Mellor and Haebich, 2002: 269).

According to the government's interpretation of Section 13 of the *State Children's Act* (1907), children were to be removed either into institutional or private care. Either way, the natural parents lost all legal control. The committed child, separated from his/her family, came under the legal stewardship of the institution or the 'managers' as approved by the government. *Child Welfare* records show that:

... children deemed neglected could be received into a government institution or a subsidised institution, or apprenticed or placed out under the authority of the Act ... Private persons or societies could be approved by the governor as a person or society to whose care destitute or neglected children could be committed, and where a child was committed to such a person or society, the person or manager of the society became the guardian of the child.

(Child Welfare Act 1907, State Records Office of Western Australia, 2003).

The Commonwealth government has since acknowledged this:

They were removed for alleged neglect, to attend school ... to receive medical treatment and to be adopted at birth. Institutions could not cope with the increasing numbers and welfare practice discouraged the use of institutions so Indigenous children were placed with non-Indigenous

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still able to maintain at least a semblance of their former lifestyles.

<sup>320</sup> 'Neglect' needs to be understood within the wider historical context of ongoing attempts by the State to assimilate children of Aboriginal descent into the wider white community.

foster families where their identity was denied or disparaged. A baby placed with white parents would obviously be more quickly assimilated than one placed with black parents. So ran the official thinking, but more importantly, so also ran the feelings of the majority of honest and conscientious white citizens (Keen: 1995: 34).

The *Child Welfare Department* used ‘neglect’ as its reason for keeping me from my natural family, and for declaring me a Ward of the State. While I have sought accountability from the West Australian government for my removal as a child, together with their failure in duty of care, the immunity clause (Section 146C) of the *Child Welfare Act 1947 (WA)* prevents the application of any culpability to the government of the day. However, as indicated earlier (see footnote 45), the Western Australia government, while not acknowledging my removal, have at least recognised failure in their duty of care.

#### 7.9 The place where my childhood began



18. Lillian (left), and Celine (right) are first cousins (me centre)<sup>321</sup>

The physical setting for my earliest childhood memories is at a house in Bertram Street, West Perth<sup>322</sup>. The things I remember most about 17 Bertram Street are: Mrs Hill, who

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<sup>321</sup> This photograph (provided by Lillian MacDonald nee Lavis) is unique insofar as it is taken in the backyard of the Bertram St. house. Obviously, an adult, presumably a member of the Shaw family, took it. How they managed to get into the house and take this photograph remains a mystery to all concerned.

lived next door with her disabled son Jack, who took me aside and sexually molested me, while Mrs. Hill and Mary Mulvale talked over a cup of tea; the paddock where horses were kept next to Mrs. Hill's house; the termite factory at the end of the cul-de-sac (which caught fire one night); a carpentry workshop directly across the street, (which featured in a nightmare I had, in which I was trapped inside with a wild horse); and, a pile of yellow sand where a young blond headed man wanted to 'play' with me. I also remember Bertram Street flooding during winter, and the Hewitt's backyard, which faced on to Bertram Street. I have no recollection of anyone else living in this house, apart from Mary, who led me to believe that she was my real mother. Apparently, Margaret (her adopted mother<sup>323</sup>) had passed away before I arrived, and as a result, I have no living memory of her<sup>324</sup>. Departmental records show that like Margaret, Mary had cared for many children over the years prior to my arrival, but one by one she seems to have severed connections with most of them, for one reason or another. Among these reasons, according to *Child Welfare* files, was her inability to cope with certain children:

In 1944 Mary Mulvale was living at 17 Bertram Street in West Perth. At that stage she was 48 years of age and Gerard<sup>325</sup> hadn't been born. There was a complaint that came to the Department about her and that she had a crippled child boarding with her.

There was an allegation that she was going out and leaving the child at home on her own ... It is noted that on 12/10/44 there was a further

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<sup>322</sup> West Perth was an inner suburb of Perth, now known as Northbridge. Neither the street nor the house is there anymore, due to the construction of the Graham Farmer freeway.

<sup>323</sup> I have provided a profile on these two women within this section.

<sup>324</sup> Fortunately, other people do. The Hewitt family, for example, who lived nearby and were distantly related to Margaret Mulvale, have been an important source of information. Relevant testimonies have been included in this chapter and subsequently.

<sup>325</sup> The interchangeability of the spelling of my name is significant. Our mother gave me the name 'Gerrard George', and my adopted mother changed this to 'Gerard Joseph'. Those who have provided input into the reconstruction of my childhood knew me only as 'Gerard'. I would later reclaim the name my natural mother gave me in a symbolic act of reclaiming my stolen identity. From both a biblical and cultural perspective, names contain the power of linking the past with the present, thereby creating living links with ancestors and generating a sense of continuity in the lives of their descendants. For this reason our mother gave me the second name of George, in honour of our grandfather.

complaint about Mary Mulvale and her mother as being unkind to the child. There was an allegation that they hit her with a hair brush and left her on her own ... it was considered that the Complainant was a reliable one and that there was some truth in it (DPC MULV1000-005, File 672/44: Accessed 11 October 1995).

The authorities concerned with my adoption do not appear to have taken this, or any other relevant details, such as the atypical and unnatural environment, for example, into account. From information provided, it was due to the pressure of her adopted mother that Mary was urged to gain legal custody over me. This is demonstrated, as my brother Charlie recalls, when he visited the Bertram St. house with our mother and Aunty Margaret, they were told sternly by Mary that “they had seen Gerard for the last time”. Charlie also remembers accompanying our mother on the many visits to the *Child Welfare Department* where our mother (and aunts) continually pleaded for my return.<sup>326</sup>

### **7.10 Key people involved in my adoption**

While I have no recollection of Margaret Mulvale, inclusion of her within this section of my work, however, is important. The lives of both Mary Mulvale and her ‘adopted’ mother Margaret were associated with Aboriginal people. Alice Nannup, a Yindjibarndi woman from the Pilbara, for example, recalls the following memory of Margaret Mulvale in the telling of her story:

When I first met Mrs. Mulvale she had a home in West Perth. That was the time when we were kids and we’d come up from Pallinup to go to Moore River ... When I got there quite a few other girls were staying too ... Mrs. Mulvale’s daughter lived there also, but I don’t remember her name ... Mrs. Mulvale used to keep close contact with the department, so

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<sup>326</sup> Charlie Shaw, Personal Interview: 11 August 1995.

if any of the girls got snappy or something she'd report them and they would have to answer at the office (Nannup, 1992: 107).

Records show that before Alice Nannup went to Moore River Settlement, Margaret Mulvale had been employed there as a nurse. After leaving the Settlement, she returned to Perth where the *Aborigines Department* employed her in the management of hostels for young Aboriginal girls from New Norcia and Mogumber, who needed to visit the city. These hostels were located in two metropolitan suburbs, Maylands and West Perth. It was at the West Perth house that Alice Nannup first encountered Margaret Mulvale:

When we arrived in Perth, Mrs. Mulvale picked us up in a Cobb & Co cab and took us to West Perth. Mrs. Mulvale looked after all the kids who went to Mogumber or came down from Mogumber to Perth for medical treatment (Nannup, 1992: 60).

Clearly, the Department was happy to give Margaret control over these young girls despite living as a single person. I understand that Margaret had a daughter who later became a member of the Mercy Sisters in West Perth, where she took the name Sister Josephine<sup>327</sup>. Mary's change of name appears to have taken place following the break up of her marriage to Joe Overall. On renouncing her married name, she lived once more with Margaret and subsequently changed her name to 'Mulvale'. The two lived together as mother and daughter<sup>328</sup>.

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<sup>327</sup> According to the Mercy Sisters' Archives, Sister Josephine was the daughter of Margaret and Patrick Mulvale.

<sup>328</sup> Government records describe her relationship with Margaret Mulvale in the following way: "Gerard's adoptive mother is Mary Teresa Mulvale ... her maiden name was Stella Nina Burrows. She married Joseph James Overall in Perth on 17/2/21 and assumed his name. This marriage was dissolved on 7/12/37. On 1/12/55, Stella Nina Overall nee Burrows changed her name by license to Mary Teresa Mulvale. Apparently as a single girl she had lived with a family whose name was Mulvale and following her separation/divorce she resumed living with them and took their name" (DPCMULV1000-005, File 672/44, Accessed: 11 October

It appears that Margaret's influence on Mary was strong enough to motivate her to take on a similar role of caring for both Aboriginal and non-Aboriginal children. According to one source<sup>329</sup>, Margaret insisted on Mary adopting me. I conclude from the information provided that Margaret was a strong and controlling person, and that Mary, somewhat insecure in her own identity, surrendered to her dominating influence. It is uncanny to see how the life of one mirrors that of the other, especially through their involvement in social and religious issues. Mary embodied the ideals and objectives of Margaret, remaining committed to these same ideals and objectives in her own life, long after Margaret had passed away. She brought these same ideals and objectives to bear on my life as a child.

When Mary Mulvale applied to the *Child Welfare Department* to become a foster mother she had good standing in their eyes because of the existing association with Margaret. According to government records<sup>330</sup>, like Margaret before her, Mary had several children in her care at any one time. I became one of those children. In my case, however, Mary Mulvale decided to keep me for herself, despite the many protestations from my birth mother and other family members.

As a white person, with a reputation for being actively involved in working with both white and Aboriginal children, Mary Mulvale was in a position of strength, in the eyes of the authorities. In contrast to our birth mother, she had both church and government backing. While I regard her as a product of her time, secure in the belief that what she was doing was the right thing, she totally disregarded the feelings of our mother and other members of my

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1995). Another citation from this same file states, "Even though she had been using the name Mary Mulvale it would appear that she did not formally change her name by way of obtaining the Licence to Change Name until December 1955".

<sup>329</sup> Elizabeth Warren (nee Hewitt), Personal Interview: 6 January 2007.

<sup>330</sup> *Family and Children's Services*, Western Australia, Mulv1000, File 672/44: Accessed: 11 October 1995.

family, and I regard this aspect as morally reprehensible. It goes to the source of the pain and heartbreak experienced by our mother and other family members, and left me with a legacy that was to trouble me for the rest of my life.

#### **7.11 How my adoption came about**

As a child, I remember accompanying my adopted mother on numerous visits to the *Child Welfare Department* in Hay St. Perth (where the facade still stands opposite the Perth Law Courts). It was here Mary Mulvale would meet with Magistrate Young and discuss “ways of getting Ruby to sign me over”. Usually, these discussions took place around lunchtime in a café (no longer there) in Cathedral Avenue, known as *Friar Tuck*. I had no understanding of what it was they were discussing, and I certainly did not know the person they were referring to as “Ruby”, was my real mother.

On 13 February 1956, when I was seven years of age, Mary Mulvale formally applied to adopt me. Until this time, I had been a Ward of the State. Records provided by *Family and Children’s Services* show that at this time I was living with Mary in a *State Housing Commission*<sup>331</sup> home in Manning, a suburb of Perth. She shared this house with her brother Stan and his wife Shirley<sup>332</sup>. These records also show that at the time of making her application, Mary was sixty years of age, and was in receipt of an Invalid pension. While the rental agreement for the Manning house was in Mary’s name, these same records state that her brother was paying the rent on this house. Furthermore, he was supposedly providing financial support for his sister and the child in her care. I have serious doubts over both these claims because I can remember Mary paying rent to Stan each fortnight,

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<sup>331</sup> The *State Housing Commission* was a division of the West Australian government now known as *Homeswest*, within the department for *Housing and Development*.

<sup>332</sup> Shirley, a Ward of the State, was formerly of Saint Joseph’s Orphanage in Wembley, a suburb of Perth. Prior to this she had been placed in Mary’s care.



and there were many occasions when we were without food as a result. I also have vivid recollections of both Mary and myself walking the streets at night until Stan and his wife had gone to bed because there had been an argument between Stan, Shirley and Mary. Life in the Manning house was not a happy time. Reflecting on the Manning experience, however, leads me to conclude two important things: firstly, Stan had been to the war and as a result was suffering shell shock. This could explain his belligerent behaviour. Secondly, his wife understandably resented our presence, especially as many of the arguments were the result of Mary's continual interference in their lives<sup>333</sup>. The Manning experience only served to deepen my sense of disconnectedness and feeling of not belonging. Overall, living with Mary in these early years was never a joyful experience.

On 20 April 1956, Mr. Justice Jackson wisely adjourned Mary's application to adopt me *sine qua non*, as there was insufficient evidence that she had the financial backing to provide the necessary maintenance required for bringing up a child. Despite Justice Jackson's adjournment, the adoption went ahead on 29 March 1957. I was eight years of age.

By accessing documented evidence years later, I am able to gain insight into the anguish experienced by my birth mother, while the eight-year legal battle over my adoption proceeded, as illustrated by the following:

The report by a welfare officer notes that when visited Mrs Shaw became upset and carried on about the Child Welfare Department having taken her other child from her (presumably Gerrard) ... The further report dated 29/9/61 notes that Ruby was resentful of her son having been "snatched"

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<sup>333</sup> Mary had a reputation for interfering. I learned from a member of the Hewitt family, for example, that Mary would often go to their West Perth home (which was across from the Bertram St. house), and insist on their mother cooking her husband's dinner, at the same time as directing the procedure. According to this source, Mary would stay there until the meal was ready to be served (Personal interview: Elizabeth Warren nee Hewitt, 1 February 2007).

from her, referring to Gerrard (Child Welfare Department, Mulv1000, File 672/44: Accessed: 11 October 1995).

A letter written by our Aunty Margaret Shaw to the Department of Child Welfare provides a further illustration of the anguish experienced by my natural family:

Mary Mulvale took Gerrard from Ruby Shaw on the basis that Ruby was unfit to look after him but it was on the condition that he would be returned ... Mulvale is an old woman ... Ruby have [sic] offered to pay money each week and a sister has offered her home to Gerrard. This was refused by Mary Mulvale. The Catholic Church would help her with Gerrard, which they did. When Gerrard turned seven she left without any knowledge of Ruby Shaw – they tracked her down and tried to see Gerrard – Mary slammed the door on them indicating that they were not allowed to see or speak to Gerrard. They shifted again.

(Family and Children's Services, Mulvale File, Accessed: 11 October 1995).

This letter, written eight years after the adoption took place, reveals that my people never gave up their fight to get me back. Mary's successful attempt to adopt me had the support of the *Child Welfare Department* whose objectives were "... ensuring that Ruby's children be given the opportunity for a proper education", and that these same children "would not be classified as natives in law"<sup>334</sup>.

The collusion that occurred between the West Australian government, Margaret and Mary Mulvale, and to some extent supportive representatives of the Catholic Church resulted in me being taken from my family and placed in a situation that fell short of the ideal family setting. On this basis, I accuse the authorities of failing in their duty of care. Furthermore, the conspiratorial attempts of both the authorities and my adopted mother in

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<sup>334</sup> *Family and Children's Services*, File 672/44, 7, Accessed: 11 October 1995.

keeping knowledge of my identity from me provided the cornerstone upon which my future life was to be constructed.

#### **7.12 Relationship with my adopted mother**

I recall a feeling of awkwardness in attempting to relate to my adopted mother, Mary Mulvale. On reflection, I am painfully aware of the lack of affection towards her throughout the sixteen years I spent with her<sup>335</sup>. After many years of reflection and intensive soul searching, I realise that I cannot remember a time when I felt comfortable in her presence. As a result, I could never find a way of responding appropriately towards her. I called her “mum”, but this always seemed hollow, and did not sit well with me. Consequently, I grew up with an overpowering feeling of being ill at ease with her, resulting in feelings of guilt for not being able to reciprocate love. All the time, I believed that there was something wrong with me. It did not seem right that I should have these feelings toward the person who claimed to be my mother.

Whenever Mary reminded me of the sacrifices she was making on my behalf, it served to compound my existing feelings of guilt. This deep-seated sense of guilt grew in intensity over the years, becoming full-blown in adulthood, and remains unresolved. My sense of disconnection with my adopted mother may account for my sense of disconnection with others, in later life. I lived with an ever increasing sense of self-loathing that underpinned my later alcoholism and even thoughts of self-destruction<sup>336</sup>. Separation from

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<sup>335</sup> It can be readily appreciated, that as a child, I was incapable of naming these feelings. It is only in later life, after years of therapy, that I am empowered to the extent that I can name my feelings, locate their source, and develop the skills necessary to deal with them.

<sup>336</sup> I now know that self-hatred and a death wish often accompany the downward spiral of chemical dependency. When a person has reached a certain depth of suffering through their addiction, this is far too often the tragic outcome. It must also be stated, that the drug of addiction is but a symptom of deeper, underlying issues that need to be addressed. Robert Kendall (Substance & Alcohol Actions/Misuse, Vol 4 (2-

my natural family, combined with the lack of ability to connect with the substitute mother in my life, rendered me emotionally incapable of entering into healthy relationships with others in later life.

I now regard this overwhelming sense of disconnection as the most damaging legacy of my childhood, as it was to later impact on the lives of many other people as well as my own. I have attempted, with the aid of experts, to work through my childhood experience with the result that I now understand in part, how much of it has been internalised and acted out in later life. Despite such insight, it seems that I will never be entirely free from the effects of my adoptive situation.

Added to my feelings of guilt, confusion and inner conflict was an overwhelming sense of shame. This could account for the massive inferiority complex that took hold during my adolescence years, and which persisted into adulthood. This served only to deepen the gulf between other people and myself, and thereby heighten my isolation, fear and loneliness. My sense of shame grew out of the painful realisation that I was conspicuously different to other children and their families. This feeling of ‘being different’ was the result of several factors. Firstly, while other children had both a mother and a father, there was no father in my life<sup>337</sup>. Secondly, there were no siblings, and therefore no

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3), 1983, 121-127) discusses the origins of the close relationship between alcoholism and suicide, citing several contributing factors: (1) Alcohol and dependence often lead to social decline and social isolation, a potent cause of suicide. (2) Alcohol dependence leads to loss of self-esteem and hence to depression, and these psychological changes predispose to suicide. (3) Intoxication produces increased impulsiveness and a weakening of normal restraints against dangerous behavior. (4) Alcohol abuse may itself be secondary to, and an attempt to cope with, recurrent episodes of depression. It is well established that people who become dependent on alcohol have a high mortality rate from suicide. The evidence is derived mainly from follow-up studies of clinically identified alcoholics and from retrospective studies of suicides (psycnet.apa.org, Accessed: 18 April 2008).

<sup>337</sup> Mary had been married, and bore the married name of Overall, but had separated prior to adopting me. Apparently, she was persuaded to leave her husband by the older Mrs. Mulvale (Margaret), but there could be other factors I am unaware of.

other children with whom to interact<sup>338</sup>. I did not have the support of peers as some of those placed in institutions had, as they have pointed out in the telling of their stories<sup>339</sup>. Thirdly, my substitute mother went under the title of ‘Miss’ until my adoption was legalised, when she changed to ‘Mrs’. Finally, Mary was an elderly woman who happened to be over the top in matters religious and in the practice of discipline. Examples of this include the numerous religious items found throughout the house in West Perth, the naming of the Medina house after a particular saint (the name Anthony inscribed on the meter box), and the emphasis on religious practices (morning and night prayers, the invocation of particular saints) to the exclusion of other social concerns. In summary, behind such practices was the philosophy of ‘fleeing the world’ and engaging in religious concerns alone. Having said these things, however, I must add that Mary Mulvale exercised her duty of care according to her own upbringing, and as the result of Margaret Mulvale’s influence. A former kindergarten teacher from St Brigid’s primary school, who can remember Margaret as caring for Aboriginal children, remembers Mary as:

... a person who wanted total control and had completely unrealistic expectations for her young charge ... She was excessively rigorous in her outlook ... I was not happy with the rigour and the unrealistic expectations which she had of the child illustrated by the following: 1. He was not allowed to play with other children. 2. When he was in kindergarten Mary growled at the teacher because he wasn’t sitting in an upright position. 3. When he served on the altar she was irate that the young child did not have his hands perfectly joined ...

(Sister Noreen Sheehy, Sister of Mercy, Personal Recorded Interview: 14 August 1995).

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<sup>338</sup> All other children Mary had cared for were gone by the time she adopted me. Ongoing contact, however, was maintained with Dorothy. We would visit her once a month. We were the only family Dorothy knew at that time. She has since established contact with her natural family.

<sup>339</sup> Former residents of Sister Kate’s Children’s Home, for example, claim each other as ‘family’ whenever they meet.

It is significant to note that the person who provided this testimony is a member of a religious congregation of devout Irish/Australian women. Sister Noreen went on to say that she regarded Mary as “over the top in regard to her religious views and practice” and that, “there was a weird and queer approach connected with her whole life.” Such statements describing Mary’s personality would seem to raise serious doubts over her suitability as a carer of children in general, and a foster mother in particular. Obviously, the authorities either failed to consider such aspects of her temperament and behaviour, or were unaware of them. Nonetheless, the West Australian government placed me, in preference to allowing me to remain with my natural family, either immediate or extended into this situation.

As part of her belief system, Mary attempted to shield me from the outside world. This accounts for the impression I formed at an early age that the world was to be shunned, and those who failed to live a strict moral life (based specifically on Catholic teaching), were to be especially shunned<sup>340</sup>. Thus, I inherited the Catholic code of life, which provided the yardstick for evaluating the moral worth of my own life and the lives of others. This inevitably bred a judgmental attitude within me towards those who did not share the Catholic beliefs, a characteristic that has taken many years to shed. Mary’s over-protectedness accounts for other children not being allowed to come to the house in Bertram St, West Perth, and why I have no memory of going to other children’s homes. While Mary emerges as an overprotective parent, it was nonetheless, her way of exercising her parenthood. This, however, combined with eventual shifting from place to place (as part

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<sup>340</sup> ‘Jansenism’ strongly reinforced such attitudes in the past. ‘Jansenism’ was a theological and spiritual movement within the Catholic Church that was characterised by moral rigidity and pessimism about the human condition (O’Collins and Farrugia, 1991: 110). I was to re-encounter this theological mentality when I later entered St. Charles Seminary (1964), a further illustration of the extent of its presence in the Catholic Church at the time. Mary Mulvale mirrored this brand of Catholicism, which would have influenced the lives of other Catholics at the time, to varying degrees.

of her strategy to keep my natural family from having contact with me, among other reasons), made it impossible for me to cultivate friendships with other children. Spending the early years of my life in such an environment established me as a loner throughout the remainder of my life.

At some point during my early adolescent years, I began to fantasise and lie about my life, to deal with my shame. By the time I commenced my secondary schooling, for example, I pretended I had a family like everyone else. I would tell other students at the Christian Brothers' College in Fremantle, who lived a long way from Medina, where I lived, that my father had died, or that I had brothers and sisters at home, just so that they would think I was like them. I discovered that by withdrawing into my world of fantasy I could escape to some extent, the overwhelming feelings of shame. However, I was unwittingly adding one lie to another.

### **7.13 Chapter Summary**

In this chapter, I have answered the question, "Who grew you up?" by describing the vulnerability of an adopted child, placed by the Western Australian government into an inappropriate environment. By reviewing my childhood in terms of Erikson's theory of psychosocial development, and the findings of Toni Buti, Judith Herman, Ceridwen Spark, and Denise Cuthbert, I have argued that through the manner of my upbringing, the existing vulnerability as an adopted child was intensified. I have explained how my adoption came about, recalled my childhood recollections of an adopted situation, and the key people involved in removing me from my natural family.

In the following chapter, I describe how the religious thread wove itself into my childhood. I do this with the aid of input provided by other people who in one way or another are able to complement my recollections through their perspectives on the situation.



## Chapter Eight

### *My Story Part Two: Adolescence – the Religious Thread*

#### 8.1 Introduction

In the course of her work *My Place* (1989), Sally Morgan recalls an incident from her childhood describing a moment of awkwardness. I suspect that most can identify with the feelings associated with Morgan's painful recollection. I regard her experience as symbolic of the complexity of human life in general, and my own in particular:

With the sound of the applause for the Black Swan Dance still ringing in my ears, I waited with bated breath to participate in the Maypole. My over-confidence was to be my undoing. Halfway through the second time round the Maypole, I suddenly realised that my red ribbon was pulling on the other girls, and that the girl who was normally ahead of me was now two girls behind. I couldn't understand what had happened. Hadn't I woven an intricate pattern in a graceful and gentle manner? I looked up, and to my dismay, realised that I had woven an intricate pattern, so intricate no one had been able to follow it. The hushed whispers from the audience were not from admiration but embarrassment (Morgan: 1987: 77-78).

In this chapter, I describe my childhood up to the age of fifteen, when I entered Saint Charles Seminary, to begin studying for the priesthood. I do this to explain how, during these early years, the Catholic religion became the dominant feature in my life, and was to shape the direction of my future life. It has its origins at Saint Brigid's Church, where I

trained to be an altar server, and at Saint Brigid's School where I attended kindergarten<sup>341</sup> and grade one, and later through the influence of a variety of Religious women, and the Christian Brothers. Father Halloran provided the encouragement I needed to take my first steps to study for the priesthood.

These influences, positive as they may be, did not displace the growing sense of emotional 'awkwardness' which infused my adolescent years, and lasted into my adult life, which to quote Morgan, became "an intricate pattern, so intricate no one had been able to follow it", least of all me.

## **8.2 The Religious thread**

Prior to meeting Margaret Mulvale, Mary (or Stella Burrows as she was originally known), was a member of the Anglican Church. She was married at one time to Joseph Overall and bore his name accordingly. Once she decided to live with Margaret, Mary converted to her way of life, which included embracing the Catholic faith. Religion became a priority for Mary, as it was for her 'adopted' mother. She was fond of telling others, for example, about the time she had taken me to the nearby church of Saint Brigid in West Perth to be baptised<sup>342</sup>, and how, following my baptism, a special dedication ceremony to the Virgin Mary<sup>343</sup> took place.

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<sup>341</sup> 'Kindergarten' is now referred to as 'pre-primary school'.

<sup>342</sup> Theologically speaking, Baptism is the first of the three sacraments of initiation into the Catholic faith. Baptism represents the formal insertion into the life of the Catholic Church. Theologically, this is understood as a process of initiation, which continues throughout the term of one's natural life. This process of initiation is continued through the Sacraments of Confirmation and Eucharist. My own initiation went beyond Baptism, Confirmation, and Eucharist, to include Ordination to the priesthood, by which time I was well and truly initiated.

<sup>343</sup> This was regarded as an exceptionally pious practice within the Catholic Church at the time. It was not common for Catholics to include it in the baptism ceremony for their children, but provision is made for it in post Vatican II liturgical practice.



**19.: St Brigid's Catholic Church, Northbridge**

Apart from memories of 17 Bertram St., other early childhood memories centre on Saint Brigid's Church and primary school<sup>344</sup>. One Sunday a month, for example, we visited Sister Josephine, a member of the Sisters of Mercy at West Perth. Sister Josephine was the daughter of Margaret and Patrick Mulvale. Whenever I hear a dove cooing, it takes me back to those times when I would play on a nearby swing, while Mary and Sister Josephine talked, and the doves cooed. That is a pleasant childhood memory, made even more pleasant by the cake that accompanied afternoon tea. A less pleasant memory, however, is Sister Raphael strapping me in grade one. She was ruling lines on the blackboard with her large, specially made ruler for teachers, in preparation for a lesson on writing. I attempted to copy her by drawing a line freehand, but because my exercise book already had lines in it, this was unnecessary. I made a mess on the page even before we got started. This obviously displeased Sister Raphael. This was my debut moment of awkwardness.

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<sup>344</sup> The building used for the school remains, but is no longer used for educational purposes. It has since been handed over to the Archdiocese of Perth and is used as the *Archdiocesan Finance Office*, and a variety of pastoral works, such as *Lifelink* and the *Catholic Development Fund*. The Church of St Brigid also remains, having been beautifully refurbished by Father Nanni, a member of a Religious Congregation known as the Oblates of Mary Immaculate. An area just to the left of the Church known as Nanni Piazza has been dedicated to him. I remember Father Nanni when he first arrived from Italy. He could speak very little English, and with the aid of a self-help book he got me to record its contents into a tape recorder. In return for this favour he allowed me to borrow his typewriter to practice on. I remember balancing it on the handlebars of my bike as I road proudly home to Wembley, where we were living at the time.



**20. First Communion Day at St. Joseph's Church Subiaco, where I was later confirmed into the Catholic faith by Bishop Rafferty**

When I was old enough, Mary arranged for me to begin serving Mass and Benediction as an altar-server at St. Brigid's church. I served Mass there every day and twice-on Sundays. The church bell was rung before the principle Sunday Mass. This required several altar-servers to control it, because of its weight. Following each deafening gong, the bell lifted us off the ground, and returned us to earth with a thump. The practice of altar-serving continued in the various parishes we later moved to, and it lasted until I entered St. Charles Seminary.



**21. Brigid's Catholic Primary School and Kindergarten**

A distant relative of Margaret Mulvale<sup>345</sup>, who lived close to the Bertram St. house, describes my upbringing as constantly:

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<sup>345</sup> I acknowledge Winifred Hewitt for her invaluable assistance in the constructing of Margaret and Mary's profiles. I was forty-seven years of age when I learned of the complexity of their family histories. It is significant to note that Winifred was the mother of seven children, including one who later became a priest.

... being kept at home under the control of Mary ... there were no friends...what Mary insisted upon and drummed into Gerard was that he become an altar server ... I am insistent that Gerard did not have a normal upbringing ... he was never allowed to have a mind of his own ... religion was pumped into him. The house was full of pictures and statues, more like a miniature church. Everything was overdone.

(Winifred Hewitt, Personal Recorded Interview: 14 August 1995).

Mary was intolerant of anyone who did not share her extreme religious beliefs and unyielding moral outlook on life. Shirley Foster who had been in Mary's care from St. Joseph's orphanage, and later married Mary's brother, describes her as:

... a very determined lady ... who became quite vindictive if anyone crossed her... I was amazed, even at that time, that a sick and single woman could adopt a child in this manner ... I can remember quarrels between Ruby (Gerard's natural mother) and Mary Mulvale.

(Shirley Foster, Personal Recorded Interview: 14 August 1995).

### **8.3 The trauma of constant shifting**

We seemed to be forever shifting from one place to another. Constant moving meant that I was always changing schools and having to adjust to new environments. I attended at least six schools and lived in a similar number of places from the ages seven to twelve. As a result, my sense of insecurity, feelings of loneliness and isolation intensified. However, the religious factor remained constant, as I attended only Catholic schools, and continued to serve Mass on a daily basis.

Looking back, I can see that the constant shifting throughout my childhood years established a sense of anxiety and inner restlessness. An Indigenous psychologist<sup>346</sup>, who has worked for many years with children from the *Stolen Generations*, explained that it is likely that I would have internalised Mary's anxiety over my natural birth mother finding me. She explained that the experience of constant shifting accounts for my difficulty in later life of settling in any one place for very long.

From West Perth, we moved to Wembley<sup>347</sup>. There were three separate shifts in this suburb alone. Because of Mary's limited financial situation<sup>348</sup>, we sometimes stayed with people Mary met through the Catholic network, relying on their generosity and preparedness to assist. We stayed for a time, for example, with Mr. and Mrs. Honnor, both people with a high Church profile<sup>349</sup>. Influenced by their religious beliefs and practices, they were ready to offer assistance by taking us into their home, rent-free. Thus living under the same roof with likeminded people reinforced the religious way of life begun at West Perth. The restrictions associated with living in someone else's house added further strain to my relationship with Mary. As a result, for a greater part of my childhood, I never had a sense of 'home', and contact with devout Catholics provided the continuing main influence on my life.

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<sup>346</sup> Joyleen Koolmatrice, a Nungar Psychologist who worked with Sir Ronald Wilson in compiling the *Bringing them Home* Report.

<sup>347</sup> All place-names referred to in this chapter are suburbs of Perth.

<sup>348</sup> Mary was in receipt of what was then termed an 'Invalid Pension'. Its current equivalent is referred to as a 'Disability Support Pension'.

<sup>349</sup> Corrie Honnor held an executive position within the *Legion of Mary*, a then widespread religious movement within the Catholic Church. Members are expected to attend weekly meetings and spend at least two hours each week on active work in pairs, such as visiting the sick and bereaved, and assisting their parish priest in compiling a parish census, which entailed door to door visitation. It provided a form of spirituality for Catholic lay people, emphasising devotion to the Blessed Virgin Mary. Because of his position, Corrie was obliged to attend meetings most nights of the week. Eileen Honnor established the *Majellans*, a group of women who meet once a month to discuss various religious and social topics. They are named after the patron saint of mothers, St. Gerard Majella. Eileen Honnor told me that whenever she had a glass of water she would "take three sips in honour of the Blessed Trinity", an indication that her religion was a way of life for her. They had no children of their own.

Eventually, Mary was granted her own place by the then *State Housing Commission* (now *Homeswest*)<sup>350</sup>, and so we made our final move to Medina, seventeen miles south of Fremantle. At last, I had a room of my own giving me some sense of independence, freedom and privacy, which was timely, as I was now twelve years of age. It was at Medina that I completed my primary schooling and commenced high school.

This period of my life represents the beginning of some stability, but it was also a time when I was nearing my impressionable teenage years. My final year of primary school was to unfold as a troubled year, as I shall outline in the following section.

#### **8.4 Rebellious Behaviour**

During my one year at St. Vincent's primary school in Medina (1959), where the Sister of Saint Joseph of the Apparition were in charge, I found myself engaging in forms of deviant behaviour. This was on a relatively minor level. It could be regarded as typical of prankish behaviour, often displayed by boys in their early teenage years. While undesirable in itself, it allowed me, for a time, to take my place within a group of peers and enjoy a sense of belonging, albeit misplaced. I see this today as an attempt to create an identity for myself. I attached myself to a renegade group in the town who in turn introduced me to the art of stealing from the local shops, and the needless thrill of damaging personal property. While I did not feel good about doing these things, it compensated by giving me a sense of purpose and belonging. The stealing spree came to an abrupt end when the police and the Parish Priest became involved. According to my recollections of the two encounters, the one with the Parish Priest was the most humiliating, probably because of my association with him as

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<sup>350</sup> This was the second offer for accommodation by the *State Housing Commission*. She was previously offered a house in Manning, but she handed the key over to her brother, Stan, and his wife Shirley.

an altar-server. Apparently, Mary knew nothing about this incident. At least she never mentioned it to me. This might have been because she took care of all the altar linen for the church, putting her in good standing with the Sisters, or because I was a reliable and committed altar-server. Perhaps, it was a combination of both. Either way I will never know. I think the shame and disgrace resulting from the outcome of my actions, however, was enough to prompt me to re-evaluate this particular lifestyle.

Despite deciding to stop stealing and damaging personal property, I continued to be troublesome at school throughout the remainder of grade seven. I did not take school seriously and always misbehaved in the classroom. The Sisters, who tried in vain to teach me, were constantly reprimanding me. I see this today as an unconscious way of diverting attention away from my home situation and directing it on to myself. I now believe that this phase of my life was a time when the inner turmoil and confusion that had been building up over the years began to become apparent to me as I approached my teenage years. One of the Sisters from St. Vincent's school makes the following observation in a recorded interview years later:

I felt Gerard wasn't receiving a normal upbringing ... Religion seemed to be drummed into him daily ... Personally, I felt he was very suppressed

(Sr. Kathleen Downes, a Member of the Sisters of St. Joseph of the Apparition, Personal Recorded Interview: 14 August 1995.

While the rebellious phase of my early life only lasted twelve months, it was to re-emerge again some years later, but with far more serious consequences, as I describe in Chapter Eight. I believe two influences produced my more responsible attitude to life at this time. One was becoming involved in part-time work and second, the influence of the Christian



Brothers, where I began high school. It was during these years that my desire to be a priest intensified.

### **8.5 Early work experience**

Because of Mary's limited financial situation, she arranged for me to engage in a variety of part-time work as a means of supplementing her income. Three significant experiences remain in my memory. My first taste of part-time work was while still in St. Vincent's primary school. Immediately after school each day, I would go to work for Brian Smyth at the local chemist shop, until closing time at five thirty. It involved cleaning medicine bottles and implements such as mortars and pestles used in the preparation of medicines. It also involved running errands for the chemist's wife. The second job was delivering bread at two in the morning on Saturdays. I could not reach the meter-boxes to put the bread into them, and my frustrated employer would swear and curse at me<sup>351</sup>. I later found myself working on a milk round Friday nights and school holidays, during my secondary school years. The milk round started at eleven thirty at night and usually finished the following morning somewhere around six or seven. My boss was Ted Higgins, father of a large family of boys, and whom I recognise today as an excellent male role model, but sadly, I did not know how to relate to him. This was another one of those 'moments of awkwardness', identified by Sally Morgan, and referred to at the beginning of this chapter.

I acknowledge these work experiences as positive ones because they helped me to develop a sense of responsibility and independence, important components in the growing

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<sup>351</sup> On reflection, I believe he was a good-hearted man. I remember him visiting the house on one occasion, and attempting to teach me the art of swimming.

up process, as stated by Erikson, referred to in the previous chapter as the ego development outcome “*identity versus role confusion*” (Chapter Five: 185). Development at this stage depends primarily on what we do. Knowing that Mary existed solely on an invalid pension, aware that we lived frugally, and that she made sacrifices so that I could receive an education, I felt good to be able to contribute something in return.

## **8.6 Secondary School**

I commenced secondary school at the Christian Brothers’ College, Fremantle, in 1960. This provided a positive experience by enabling a rite of passage into adolescence. It gave me the opportunity to connect with other boys and to some extent, develop socially in an environment that did not include my adopted mother. Attending school in Fremantle involved travelling seventeen miles there and back each day, after serving early morning Mass at St. Vincent’s church. It was a long day, beginning at six thirty in the morning and ending at five in the afternoon, when the bus returned me to Medina. Students from both Catholic and government schools travelled on the bus. Some bonded during the many trips over the following three years. Like my part time work experiences, secondary school enabled me to continue to grow up. Something of a nurturing influence began to take effect, something I had not experienced before this time. I attribute this largely to the Christian Brothers, whose influence led to a profound change in my attitude, especially in assuming some responsibility for a life of study. For me the Christian Brothers were giants of men, and I wanted to emulate them in every way. Their teaching skills, combined with the example they set through their life-style, provided me with male role models, previously absent from my life. Apart from the men I worked for, the pharmacist, the baker and the milkman, the only significant male in my life up until this time had been Mary’s brother

Stan referred to earlier. Sadly, as a result of having been to war, he was a shattered man and found it difficult to fulfill the role of mentor either towards me, or his own son.

Because I felt I had a vocation to the priesthood, something that was within me for as far back as I can remember, I would often visit Brother Vincent Duffy on Sunday afternoons to discuss my future. The school at Fremantle provided a safe and secure environment. I relished the strength being around these men gave me. Brother St. John, for example, made a lasting impression on me because of his innovative style and creative spirit. His concept of education included the whole person, mind, body and spirit. He went beyond the Christian Brother mindset that was traditionally limited to academic achievement and sporting prowess. For example, he formed a choir that performed in the annual Christian Brothers' Eisteddfods, and he organised regular debating groups along with appropriate training for formal speech presentations. This exceptionally gifted Brother formed 'Young Christian Students' groups based on a particular interest and promoted a Christian code. I joined the drama group, which greatly assisted my confidence and self-esteem. We would visit aged homes, providing entertainment for the residents. Brother St. John gave those not in the sporting arenas an opportunity to display their skills and develop their uniqueness as individuals in other ways. I will always remember him with gratitude.

As a result of the Christian Brothers' influence and example, I applied myself to my studies. This commitment dominated my life. As an extension of the ordered life at school, I set myself a structured study timetable that I faithfully adhered to, and tended a backyard vegetable garden on weekends. I also discovered that by losing myself in study I avoided having to communicate with Mary, something I found increasingly difficult to do. For the first time in my life, I began to enjoy a sense of stability and security, and most

importantly, a feeling of self-worth. I discovered being a dedicated student was preferable to being a rebel. I also had a taste of freedom, which allowed me to have a friendship or two, and go to other homes. I was creating a world separate from Mary's. I valued this degree of independence as it allowed me to forge an identity for myself, separate from that which I did not fit into or feel good about. However, this had its price, the price of guilt. Deep down, I felt guilty about shutting Mary out and did not understand why.

### **8.7 Enter Father Halloran**

In addition to the influence of the Christian Brothers, was that of Father Halloran, a Servite priest<sup>352</sup>. His presence in my life was to prove significant in terms of my aspiration to become a priest. I first met him when he visited the Medina parish to speak on "Vocations to the Priesthood and Religious Life". I introduced myself to him after Mass to tell him that I wanted to become a priest. From that time on Father Halloran maintained contact on a regular basis throughout my third year of secondary school. He would visit me regularly at the Medina house, much to Mary's delight, of course. Father Halloran showed a genuine interest in my study life and supported me in my desire to become a priest. I now had an added incentive to apply myself even more to my studies. When I successfully achieved my Junior Certificate, I received a letter of congratulations from his superior, Fr. Loftus, and news that I was to enter Saint Charles Seminary, Guildford. The way was open for me to pursue what I believed to be a boyhood dream, but was to later realise that perhaps it was someone else's<sup>353</sup>. I was fifteen years old at the time, and I was beginning to become aware

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<sup>352</sup> The Order of Servites (or Servants of Mary) is one of the oldest Orders of the Catholic Church. Seven noble Florentines founded it in 1233 (*Catholic Encyclopedia*, <http://www.newadvent.org/cathen/09750a.htm> Accessed: 26 January 2006).

<sup>353</sup> This central and overriding question has finally been resolved, due in large part to the skillful counseling work I received from Gail Green, Therapist, Supervisor, and Mental Health Social Worker. Gail was one of

of my emerging sexuality, but had already learned to deny it. To some extent, this reflects the wider ethos I lived in at the time, but the environment I grew up in strongly reinforced this.

In this chapter, I have recounted my recollections of childhood up to fifteen years of age, when I entered the seminary to begin studies for the priesthood. My main focus has been the role of a religious influence during this time, which included Saint Brigid's Church and School, the influence of the Christian Brothers, and the role of Father Halloran who was instrumental in arranging for me to begin studying for the priesthood.

In the following chapter, I provide an outline of the canonical structures of Religious Life and Priesthood within the Roman Catholic Church. I do this is to provide a description of the life of the Catholic Church, thereby providing an understanding of the environment in which I situated myself. I explain how the religious thread of my life continued to be woven, and to what extent it became fully entwined in my life.

## Chapter Nine

### *My Story Part Three: The Religious thread tightens its hold*

#### **9.1 Introduction**

In this chapter, I provide an outline of the canonical composition of Religious Life and Priesthood within the Roman Catholic Church. By outlining the formal structure of the Church, I am able to contextualise that part of my story in which the weaving of the religious thread continued, and ways in which it influenced my life.

#### **9.2 Religious Life and Priesthood within the Roman Catholic Church**

Up until the nineteen sixties and seventies, a ‘vocation’ or ‘call’ within a Catholic context, usually referred to a vocation to the Priesthood or the Religious Life. A more inclusive understanding of this term emerged later. Only then, were those who embraced marriage or a particular career was referred to as having a vocation<sup>354</sup>. Growing up within a pronounced Catholic milieu, as indicated in the previous chapter, I inherited the common belief that to become a Priest was one of the highest and noblest careers anyone could aspire to. My adopted mother strongly supported this view of the Catholic Priesthood, and the Catholic education system reinforced it. Despite her excessive reverence for the Priesthood and the Church, my adopted mother was not alone in placing Priests, Religious women and men

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<sup>354</sup> *Dogmatic Constitution on the Church*, Vatican II, Lumen Gentium, 21 November, 1964: “In what might be regarded as the domestic Church, the parents by word and example are the first heralds of the faith with regard to their children. They must foster the vocation which is proper to each child, and this with special care if it be to religion” (362-3). The Catholic Church is yet to acknowledge the single life as a vocation.

(Sisters and Brothers<sup>355</sup>) on a pedestal. It is reasonable to say that this was generally the case even within the wider community, but especially so in the lives of Catholics. It is not surprising then, that I can never remember a time when I did not feel strongly drawn towards the Catholic Priesthood.

Spending my impressionable years living within one religious house or another profoundly shaped my young life to the detriment of other life-styles, normally associated with growing up. The experiences I gained, firstly at St Charles Seminary in Guildford<sup>356</sup>, then St. Philip's Priory in Tuart Hill<sup>357</sup>, and later at the Benedictine Abbey, New Norcia<sup>358</sup>, were different in practice, but fundamentally similar in purpose. I will demonstrate this by describing the respective way of life for each place. For example, at St. Charles Seminary, the staff of Vincentian Priests<sup>359</sup> would rise at 5.00 a.m. for prayer and Mass, while the students of philosophy rose at 6.00 am for Morning Prayer, meditation and Mass. Those preparing for their Leaving Certificate joined the philosophy students in the chapel for Morning Prayer and Mass. The structure of the day resembled that of a boarding school, with classes and times set aside for study. Manual work and sport also had their place within the weekly timetable. The rule of separation between students, philosophers and Priests was rigidly reinforced. On the other hand, the Benedictine monks at New Norcia rose at 3.30 A.M. and spent the following two hours chanting the Divine Office (Matins

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<sup>355</sup> I do not refer to such Religious women as 'Nuns', but rather as 'Sisters'. According to Church Law, 'Nuns' refer to those women who embrace an enclosed (or monastic lifestyle). An example of a community of Nuns would be the Carmelite Nuns who have monasteries in Nedlands (Perth) and Kew (Victoria). Brothers (or Religious men) are not Priests as the media insists on referring to them. Canon Law determines the status of Priests, Brothers, Sisters, Nuns and the Laity, and is quite specific in this matter. Further, there exists, according to Church Law, clear distinctions made between Congregations and Orders. Each of these fit into the overall hierarchical structure of the Church.

<sup>356</sup> Guildford is suburb, located east of Perth.

<sup>357</sup> Tuart Hill is a suburb of Perth.

<sup>358</sup> New Norcia is located eighty-two miles north of Perth.

<sup>359</sup> Vincentians are a Congregation of Priests who, while working in parishes, were also called upon to staff seminaries and prepare young men for the Priesthood.

and Lauds) or the ‘Opus Dei’<sup>360</sup>. The chanting of the morning Office would culminate with the celebration of Mass. Breakfast at 7 am was a welcome break, as was the one hour siesta following the midday meal. Throughout the day, the monks assembled to chant the remainder of the Office. This included Tierce, Sext, None, Vespers and Compline, and as their names suggest, these were associated with a particular time of the day, which explains why they are sometimes referred to as ‘The Hours’. Chanting the Divine Office occupies a significant part of a monk’s day. The experience of the Benedictine way of life in particular has left an indelible mark on my life. As a result, I continue to instinctively structure my day in principle at least, on their way of life, by striving to live reflectively and relishing the opportunity for silence.

All forms of Religious Life, and the respective spiritualities found to exist within the Catholic Church, are designed to enable a person achieve union with God<sup>361</sup>. To assist in the pursuit of this goal, there are structures provided, and these may vary according to each community, depending on their particular mission and work. In all Religious Orders and Congregations,<sup>362</sup> a period of meditation is always set aside, usually at the beginning of the day. The order of the day at the Servite Priory in Tuart Hill, for example, included two hours of meditation, one in the morning and the other late afternoon, before the evening

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<sup>360</sup> ‘Opus Dei’ is translated from the Latin as ‘the work of God’ and according to the rule of St. Benedict was to be preferred above all else. Manual work, however, holds a central place in the daily life of a Benedictine monk: ‘laborare est orare’, to work is to pray. This is a firmly held theological principle by the Church at large, indicating the sanctity of manual work.

<sup>361</sup> This objective remains true for all forms of Religious life, regardless of denomination. Buddhist monks, Anglican Monks and Sisters, devotees of Hare Krishna, to name a few, all share the common goal of communion with a higher power.

<sup>362</sup> Religious communities within the Catholic Church, while each one is autonomous, they are classified according to Canon Law and are ultimately answerable to Rome in matters of faith and morals as well as the type of work they might engage in. Classification of respective Religious communities is determined by the taking of either solemn or simple vows.



meal. The timetable of prayer for the Servite Friars<sup>363</sup> was structured around their work as teachers, in charge of a large boy's college<sup>364</sup>.

By comparing the Benedictine monks at New Norcia (and monastic life generally) with the Servite Community in Tuart Hill, it can be seen that for the former, the whole day is spent in a more intensely silent, reflective and meditative mood, with one's focus consistently on the overriding objective of achieving and maintaining 'union with God',<sup>365</sup>. The Servites, on the other hand, live a lifestyle that requires greater involvement with the wider community, thus they also run parishes, and are involved in a variety of local Diocesan works.

Spiritual reading, both private and communal, is another important aspect of all types of Religious Life. The Benedictine monks refer to this as 'Lectio Divina',<sup>366</sup>. For the monk, in addition to spiritual reading in private, reading also occurs during meals, which are taken in silence. Reading at these times is not restricted to matters spiritual, but may include a wider range of subjects ranging from autobiographies, philosophers and their writings, along with key historical characters such as the lives of the saints, to a variety of both fictional and non-fictional works. This is intended to include some form of intellectual

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<sup>363</sup> Historically, a 'Friar' is a member of a Mendicant Order. Friars differ from Monks in that they are called to a life of poverty in service to a community, rather than cloistered asceticism and devotion. Monks live cloistered away from the world in a self-sufficient community, while donations or other charitable forms of support assist the friars.

<sup>364</sup> Servite College, as it is known, has since gone co-ed.

<sup>365</sup> 'Grand Silence', once common to all Religious Communities, but remains a continued practice within monasteries, meant that there was no communication with another until after morning prayer and Mass. Silence always has been, and remains so today, important in the predisposing of one to live reflectively and practice the art of meditation. Once again, this is not unique to the Catholic Church. Silence is a feature common to all forms of Religious life, in both the Eastern and Western traditions.

<sup>366</sup> 'Lectio Divina' is Latin for reading of material that is spiritual in nature, and is a source of nourishment for the soul. It represents a method of prayer, intended to promote personal union with God. It is considered as a means of providing spiritual insight through study and contemplation.

stimulus to nourish the minds of the monks. The practice of reading during meals is a directive taken from “The Rule of Saint Benedict”, which reminds the monks that:

Reading will always accompany the meals of the brothers ... Let there be complete silence. No whispering, no speaking - only the reader's voice should be heard there (Fry: 1981: 85).

By comparison with other Religious Orders and Congregations concerned with service to the community in some way or another, the focus of those engaged in living a monastic lifestyle constantly strive to achieve and maintain union with God, sheltered from the daily distractions of the outside world. The Vatican has exhorted all women and men committed to the various Religious lifestyles within the Catholic Church, to strive to give expression to the respective charism<sup>367</sup> of their founders through their daily work and lifestyle<sup>368</sup>. This could include such works as teaching, nursing, serving the poor, or any one of a variety of pastoral works. The Sisters of Saint John of God, for example, dedicate themselves to caring for the sick, while the Jesuits are traditionally associated with education, especially at a tertiary level. In more recent times, the type of work undertaken by Religious (and some Priests) is more varied than previously. In some cases it has been structured to address current needs. If one visited a Catholic school or hospital today, it would be seen that these places are staffed predominantly by lay people who are asked to continue the original vision of the respective founder of the Order or Congregation. Increase in lay involvement reflects a growing decline in both men and women Religious in Australia. Still, the respective ethos of Orders and Congregations continue to be promoted.

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<sup>367</sup> ‘Charisma’ comes from the Greek, meaning ‘gift’. In a theological sense, it refers to the special gifts of the Holy Spirit, over and above those necessary for salvation. They are given for the benefit of the Church and the world. They may be given to either individuals or groups (O’Collins and Farrugia: 1991).

<sup>368</sup> In its document ‘Apostolic Exhortation on the Renewal of Religious Life’, The Vatican Council insisted on Religious Orders and Congregations examine their respective lifestyles in relation to their founders: ‘... the Council rightly insists on the obligation of Religious to be faithful to the spirit of their founders, to their evangelical intentions and to the example of their sanctity. In this it finds one of the most secure criteria for judging what each institute should undertake’ (*Evangelica Testificatio*, 29 June 1971, in Flannery: 685)

St John of God Health Care, for example, insists on such values as Hospitality, Compassion, Respect, Justice, and Excellence, be maintained in their hospitals, and asks its staff to collaborate with them in translating these values into their daily work<sup>369</sup>.

Living within Religious environments as outlined, profoundly shaped my early life. I now trace the journey I took beginning at Saint Charles Seminary, of intensive training traditionally referred to as postulancy and novitiate<sup>370</sup>. These experiences characterised my life to the extent that, in principle at least, they remain with me, a testimony to their practical relevance to situations outside of Religious life. As principles for living, they continue to provide me with the basis for a disciplined and structured way of life, and I remain grateful for the opportunity to have been introduced to them. The downside, however, meant that while I was intensely engaged in the pursuit of a Religious way of life, I failed to give attention to my development as an emotional and sexual being. According to Erikson, it is at this stage, we are capable of learning, creating and accomplishing new skills and knowledge, thereby developing a sense of industry. He points out, that if we experience unresolved feelings of inadequacy and inferiority, we can have serious problems in terms of competence and self-esteem. This helps me understand my overwhelming sense of inferiority and inadequacy. I had brought existing and unresolved childhood deficiencies into the Church, an environment that at the time was not advanced sufficiently in knowledge of human development techniques to help seminarians address these issues.

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<sup>369</sup> These values are enshrined in the Mission Statement of the Saint John of God Health Care System, and are presented to staff as part of their orientation into the Health Care System.

<sup>370</sup> Candidates for both the Religious Life and the Priesthood are introduced to basic principles needed for living out a particular form of Religious life, during these times of formation. Vows are taken once these training periods have been completed, and if the candidate is deemed suitable.

### 9.3 St. Charles' Seminary

On successfully obtaining my Junior Certificate (equivalent to Year 10), with the help of Father Halloran (referred to in the previous chapter), and the Saint Vincent de Paul Society<sup>371</sup>, I entered St. Charles Seminary, Guildford<sup>372</sup> at fifteen years of age, to begin preparation for the Catholic Priesthood with another twelve or so other students. It was 1964, and the idea was to complete my secondary studies, known then as sub-Leaving and Leaving Certificate<sup>373</sup>.

My year at St. Charles proved to be a disaster. I was not emotionally equipped to measure up to the strict demands of seminary life that presumed an exceptional level of maturity in fifteen and sixteen-year-old boys intending to become Priests. My low level of emotional immaturity meant a high level of vulnerability. I was intensely unhappy, which on reflection I realise compounded my sense of vulnerability within what was in fact a glorified boarding school, run by a regime of fear<sup>374</sup>. When I reflect on it today, I realise that I felt profoundly disappointed. The Priests were nothing like Father Halloran and Father Loftus. They were cold, heartless and aloof. The place was run entirely on rules. We were told repeatedly “if you keep the rule, the rule will keep you”. There were rules of separation between the philosophers and those completing their secondary studies. There were even rules to cover holiday times, when you went home for the mid-year semester break. For example, there was to be no contact with the opposite sex, and attendance at

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<sup>371</sup> The Medina branch of the St Vincent de Paul Society provided a bursary to cover the associated costs.

<sup>372</sup> Because the Servite Order was only small, it did not have a seminary of its own here in Australia. The Servite community made arrangements with the Archdiocese of Perth for me to complete my secondary studies at St. Charles before going to Melbourne, where the Australian foundation of Servites were better established.

<sup>373</sup> I later completed this part of my education by successfully obtaining a Mature Age Matriculation certificate through courses provided by Technical Institutes (which existed prior to the establishment of TAFE colleges).

<sup>374</sup> I have heard Priests who were trained at St. Charles refer to it in this way.

dances was taboo. Especially strict were rules regarding modesty. For example, when you changed in the dormitory, it was necessary to cover yourself with a robe. Similarly, whenever we walked down to the river for a swim, a robe had to be worn. My newfound taste of freedom and independence was eclipsed by the strict rules determining the life-style of a seminarian, according to the vision of the Vincentian Fathers<sup>375</sup>. I lost all interest in study in particular, and the seminary life in general. I reacted to this by reverting back to being the rebel I was in grade seven.

A life behind the closed doors of this seminary, in which the spirit of Jansenism prevailed, was not the ideal setting for personal growth. In some ways, it was an extension of my childhood experience, and hardly an antidote for my vulnerable condition. I felt abandoned by the Servites, and I found myself in a place in which I did not fit. My feelings of inferiority and poor self-esteem were further reinforced. The former spirit of diligence and enthusiasm I cultivated during my years with the Christian Brothers was stifled within this oppressive environment. Nevertheless, it did not suppress my desire to become a Priest.

#### **9.4 Servite Priory**

As my feelings of insecurity and inner confusion returned, I found myself adopting a pattern learned in childhood, and began moving from one place to another, although unaware of it at the time. Desperately unhappy within the harsh impersonal boarding school environment of St. Charles, I requested to live with Father Halloran and his community at

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<sup>375</sup> The Vincentians are a Community of Priests and Brothers in the Catholic Church. Saint Vincent De Paul in France founded them in 1625. Part of their work was to be involved in the formation of Diocesan Priests. Their official title is 'Congregation of the Mission'. Vincentian Priests and Brothers, <http://www.vincentians.org.au/vinmiss.htm> Accessed: 30 November 2007. The ethos at Saint Charles was typical of that found in most seminaries.

Tuart Hill<sup>376</sup>. This was agreed to, and I remained at the Servite Priory for two years. In contrast to St. Charles, I found this to be a warm and friendly environment. Instead of sleeping in a dormitory, I had my own room, which contained an enormous desk and shelves. It was heated in winter and had a ceiling fan for the summer. In addition, a cooked breakfast was provided each day. Compared to my previous lifestyles both at home and at the Seminary, this was sheer luxury. At first, I thought the material lifestyle at the Priory could be a source of scandal for the wider Catholic community, but later dismissed this idea in the belief that these were all Priests who had come from America, and it probably reflected their former way of life.

For most of the time at the Priory, I found myself alone. The two postulants, who visited me once a month at St. Charles, had left the Priory. The Priests were teaching at St. Philip's School all day, and had pastoral commitments most nights. I had some involvement in the school through some routine office work, but there were no other trainee Brothers or Priests to interact with. In retrospect, I can see that this was an unhealthy situation for a seventeen year old to be in. It was, however, a time when I deepened my relationship with God to such an extent that I now felt called to the monastic life<sup>377</sup>. My next move, therefore, was to the Benedictine Abbey, New Norcia.

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<sup>376</sup> In retrospect, I now consider it highly regrettable that I did not go there in the first place. Strictly speaking, that is where I should have gone. After all, this was the Order I had applied to join, but instead they placed me in St. Charles, and it seemed like they never existed, apart from a monthly visit from two postulant Brothers.

<sup>377</sup> Monastic life provides the structure for a more intense focus on the pursuit of communion with God.



**22.Fellow postulants at Servite Priory, Tuart Hill, with me in the centre**

### **9.5 Benedictine Abbey New Norcia**

I remained at New Norcia for twelve months. In the course of this time my spiritual desire to deepen my union with God was suddenly replaced by a conflicting desire for intimate union with another person. I fell in love with a fellow novice. I understood the feeling to be mutual. I left the monastery on the understanding that he would join me and we would spend the remainder of our lives together. He never did.

As time passed, I was able to get over the feelings of utter disappointment and hurt associated with my first love experience. I told no one about it, not even my friend, who through his friendship, albeit unwittingly, sustained me during those painful months following. In time, I returned to the pursuit of my first love, the Priesthood.

One of the most important and fundamental points made by this friend late one night, when we were continuing with our ongoing review of the past, was that I should never have accepted ordination to the Priesthood until I had dealt with that first love relationship. I was wrong, he pointed out, to have got over it by putting it out of mind as if it had never happened, and returned to my boyhood dream of the Priesthood. When I reflected on this, I

knew he was right. It helped me to see that it was a mistake to suppress this experience and pretend it never occurred. It was an important opportunity lost to look inwards at myself and learn something about myself as a human being. When someone else walked into my life some years later and I again was overwhelmed with feelings of love, it never occurred to me that I was possibly seeking the love I did not find with in the first place. As Erikson tells us, when we do not find it easy to create satisfying relationships, our world can begin to shrink as, in defense, we can feel superior to others. Our significant relationships are with marital partners and friends. In the initial stage of being an adult, we seek one or more companions and love (Erikson, 1950: 235). Within the context of adolescent love, Erikson states, "... the stage of 'falling in love', which is by no means entirely, or even primarily, a sexual matter ... To a considerable extent adolescent love is an attempt to arrive at a definition of one's identity..." (Erikson: 1950: 235-236).

## 9.6 Pallottines<sup>378</sup>

The story of how I came to join the Pallottines involves a series of incidents, which, at the time, I interpreted as indicators of what direction my life should take. It begins with a car accident, and culminates with a Priest suggesting that I had a vocation to the Priesthood.

I was on holidays, and decided to drive a friend I worked with back home to Sydney. After spending a week there, and setting off for Melbourne to begin the return trip to Perth, I packed too much into the last day by driving up to Katoomba, and leaving at midnight for

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<sup>378</sup> Pallottine Priests and Brothers (also known as the *Society of the Catholic Apostolate*), share a life of community, prayer and apostolic work. Founded by St. Vincent Pallotti during his lifetime (1795-1850), the universality of the Pallottine charism calls each member to use their talents to respond to the needs of the local Church <http://www.pallottine.org.au/> Accessed: 30 November 2007. Pallottines are an example of what is referred to as 'Active', whereas the Benedictines, for example, are referred to as a 'Contemplative'.



Melbourne. Foolishly, I drove all night. Overcome with sleep, I woke up to find my car crashing into a sandstone wall, just south of Bega, at seven o'clock the next morning. Because I was working at the time for Mental Health Services (WA), and learning that my car would take a few weeks to repair, I sought permission to be rostered as AWOL. Meanwhile, I was able to get some work with the equivalent branch of health care in Melbourne. It was at the then Kew Cottages<sup>379</sup>. There I met John Foley who had been working as a lay-missionary with the Pallottines at the Wandering Mission (in the southwest of Western Australia). He told me about the Pallottines and a Pallottine Priest who ran a coffee shop in the heart of Melbourne. I met Father Richard Rhor, and was impressed. Curious to learn more, I visited Wandering Mission<sup>380</sup> on my return to Perth, and there I met Father Brian Tiernan, another Pallottine.

Shortly after my visit to Wandering, an advertisement appeared in *The Record*<sup>381</sup>. A Pallottine Priest, Father John Luemenn, placed the advertisement there. He was seeking someone to work as a lay missionary at the then Pallottine Centre, Rossmoyne<sup>382</sup>. I applied and was accepted. After terminating my work with Mental Health Services (WA), I took on this work, as a volunteer. In the course of that year, Father Luemenn approached me one day and informed me that he thought I had a vocation to the Priesthood.

Despite unresolved personal issues, especially sexuality, I travelled to Melbourne where the years of study and preparation required for the Priesthood were finally completed. It was here that I obtained a degree in theology at the Melbourne College of Divinity, and was eventually ordained a Priest after a total of sixteen years of study and

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<sup>379</sup> Kew is an inner suburb of Melbourne.

<sup>380</sup> The Shire of Wandering is located in the South West of Western Australia. It is little over an hour's drive from Perth, east off Albany Highway.

<sup>381</sup> This is the local Diocesan Catholic Newspaper.

<sup>382</sup> Rossmoyne is a suburb south of Perth.

preparation. It was the happiest day of my life. I believed that all those questions that had previously plagued me throughout my life were now dissolved. I had finally arrived. At last, I had fulfilled my boyhood dream, established my identity, and it now had official approval by the Catholic Church. With one part of my life's journey completed, a new one was beginning. However, I still had to grow up emotionally. As I was to discover, maturity was not included in the conferral of the sacrament of Holy Orders<sup>383</sup>.

In this chapter, I have outlined the canonical structures of the Roman Catholic Church to provide an expanded understanding of the world in which I spent my younger years, and indeed most of my adult life. In the following chapter, I will describe outcomes in adult life, with particular reference to my alcoholism, sexual behaviour, and subsequent imprisonment.

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<sup>383</sup> In his work, *The Pope in Winter – The Dark Face of John Paul II's Papacy* (2004), John Cornwell cites an ex-Priest and psychiatrist who had become a specialist on the phenomenon of child abuse by Priests, as saying, "... that the Church was still refusing to look at the fundamental causes of the problem" which, in his view "... was a tendency to arrest development among Priests due to inadequate recruitment and seminary formation" (228). Cornwell is an award winning journalist and author. He is Director of the Science and Human Dimension Project at Jesus College, Cambridge, and a member of the Department of History and Philosophy of Science at Cambridge University.

## Chapter Ten

### *Spirituality, religion, sexuality, and the priesthood. Understanding sexual abuse as a sickness*

#### 10.1 Introduction

In this chapter, I discuss certain events in my adult life. In particular, I focus on my chronic alcoholism and my offending behaviour, which resulted in imprisonment. Describing the dysfunctional outcomes in my adult life, necessarily involves a discussion of human sexuality, the Catholic priesthood, the law of celibacy, and my failure to adhere to the ideal of celibacy, based on immaturity. I argue that the Catholic Church did not provide adequate formation<sup>384</sup> in relation to human sexuality for its clergy in the past, and discuss the repercussions of this in my own life. I discuss the issue of sexual abuse by clergy, identifying sexual abuse as a sickness, and argue for the importance of both abusers and abused having the opportunity to tell their stories, as part of an ongoing process of healing for all concerned.

#### 10.2 Spirituality, religion, sexuality, and the priesthood

In this section I foreground the distinction between religion and spirituality. I then discuss the link between spirituality and sexuality. I do this to support my argument that the Church has failed in the past to adequately address the matter of sexuality in the formation

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<sup>384</sup> 'Priestly Formation' is a term that has been used since the *Council of Trent* to refer to the training regime of seminarians. A more recent statement, found in the documents of the Second Vatican Council, is entitled *Decree on Priestly Training* (*Optatum totius* (1965)), and speaks throughout of "priestly formation", <http://www.catholic.org/vocations/documents.php> Accessed: 23 October 2011. McBrien (1981: 681), states that the reforms of Trent developed into rigid rules, and seminaries tended to become increasingly isolated from the world around them.

of its clergy. Drawing on the work of theologian Ronald Rolheiser<sup>385</sup>, the authors of *Broken Trust* (2007)<sup>386</sup> make a distinction between spirituality and religion, which is important for understanding the Church's past failure to deal with sexuality<sup>387</sup>. Religion and its associated practices, such as church going or participation in some form of ritualised worship, is related to the external expressions of human life and can provide appropriate structures for individuals to express their spirituality. However, spirituality belongs to the internal forum, and is that dynamic which infuses the body, and shapes human behaviour accordingly. One might engage in religious practices, but be devoid of spirituality.

Rolheiser argues that, "One of the fundamental tasks of spirituality ... is to help us to understand and channel our sexuality correctly" (2007: p.11). Rolheiser further argues that, "... everyone has to have a spirituality ... we all have a spirituality ... spirituality is more about whether we can sleep at night than about whether we go to church"<sup>388</sup>. According to Rolheiser, the acid test to ascertain the effectiveness of a particular form of spirituality is by asking, to what extent the spirituality I embrace enhances my humanity, especially by helping me to understand and channel my sexuality correctly (Rolheiser 1999: 193). Rolheiser proposes a developed spiritual understanding of sexuality:

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<sup>385</sup> Ronald Rolheiser is a Roman Catholic Priest and member of the Missionary Oblates of Mary Immaculate. He is president of the Oblate School of Theology in San Antonio, Texas. He is a community builder, lecturer, and writer. His books are popular throughout the English-speaking world. More than sixty newspapers worldwide carry his weekly column <http://www.ronrolheiser.com> Accessed: 31/12/07. The quote is from *The Holy Longings: Guidelines for a Christian Spirituality* (1993).

<sup>386</sup> Fleming, Lauber-Fleming and Motousek, *Broken Trust – Stories of Pain, Hope, and Healing from Clerical Abuse Survivors and Abusers* (2007).

<sup>387</sup> In my view, *The Devil's Playground*, a 1976 semi-autobiographical film by Australian director Fred Schepisi provides an accurate commentary on the Church's failure in the past to offer a more holistic approach to sexuality. The film recounts Schepisi's experiences growing up and going to a Catholic school, run by the Marist Brothers. His focus is on the trials of the flesh and the tensions that arise, for both Brothers and students, from the religious injunction to control one's sexuality, and the connection between failure to do this and sin.

<sup>388</sup> *Guidelines for a Christian Spirituality for the Twenty First Century*: 1988: 3-18.

Sexuality is a beautiful, good, extremely powerful, sacred energy ... and experienced in every cell of our being as an irrepressible urge to overcome our incompleteness, to move towards unity and consummation with that which is beyond us. It is also the pulse to celebrate, to give and to receive delight, to find our way back to the Garden of Eden where we can be naked, shameless, and without worry and work as we make love in the moonlight.<sup>389</sup>

I interpret the sentiments expressed in this vision of sexuality as having no place within a theology of priesthood. In my experience of the Catholic Church, which spans a lifetime, beginning in childhood, expanding significantly in 1963 when I entered the seminary, to 1979 when I was ordained a priest, I never encountered such a wholesome vision of sexuality, as contained in this statement.

In the past, the Church failed to teach the link between spirituality and sexuality, which may have at least helped some priests better deal with the unnatural call to celibacy. Fleming et al (2007) correctly point out, the candidate for the priesthood, whether heterosexual or homosexual was expected to, "... put aside and ignore his human needs, especially sexual and relational, in the service of his call"<sup>390</sup>. These authors acknowledge:

What is otherwise a wonderfully incarnational and earthy religion has sometimes expected its clerical leadership to be anti-incarnational and superhuman (Fleming et al, 2007: 91).

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<sup>389</sup> Spirituality: Ronald Rolheiser in Seeking Spirituality, 3 of 3 in <http://www.predmore.blogspot.com>  
Accessed: 14 August 2010.

<sup>390</sup> While celibacy is still a requirement for priesthood today, candidates are encouraged to develop healthy, even loving, relationships with others. This must, at all times however, remain nonsexual.

For some priests who have abused, one can conclude that they did not receive the necessary training in the first place to assist them to live as sexual beings, or who by their nature were predatory, and used their position to pursue their desires.

Among those who accuse the Catholic Church of neglecting human development in the training of its priests in the past is Jane Anderson. In *Priests in Love – Australian Catholic Clergy and Their Intimate Relationships* (2005), Anderson discusses, “Clerical sexual abuse, gays in the priesthood, priests having affairs ...” (2005: 1). She concludes that the Catholic priesthood, “... seems to be plagued with so many ills that it is hard to imagine a way out of the sexual morass” (2005: 1). Her book seeks to explain why priests are finding it difficult to continue in the priesthood while celibacy remains compulsory (2005: 3). Anderson does this by interviewing and recounting the experiences of fifty priests, both heterosexual and homosexual, who were prepared to talk about their respective struggles with celibacy. She introduces these accounts with Father Abe, who found celibacy no longer relevant to either his life or ministry. He, like many other priests, “... wanted to realise a loving and companionable relationship” (2005:11), yet served in a church unsympathetic to their plight.

### **10.3 Emotional Immaturity**

Anderson identifies emotional immaturity as a root cause of the “many ills” and “sexual morass” that beset the priesthood. Her claim of emotional immaturity has the support of a priest-counselor, Fr. James, who identifies the freezing of sexual development as the result

of past seminary training. Fr James argues:

...that the level of sexual maturation amongst Catholic clergy in general could well be compared to that found amongst adolescent boys. If, for example, you were to listen to some of the conversations amongst the clergy gathered for drinks in the privacy of their own company, you could be forgiven for thinking that the average age of the gathering was between fifteen and eighteen years. Not surprisingly – since sexual/relational maturation of many clergy was in fact frozen at this stage. They joined the seminary system in their teens; their contact with women was severed, and so they went into their adult lives stunted, emasculated. It is not merely co-incidental that many of the clergy sexual abuse cases have been perpetrated against minors (2005: 18).

Various researchers support the anecdotal evidence of Fr. James. Anderson refers to Eugene Kennedy<sup>391</sup> and Victor Heckler<sup>392</sup>, for example, who argue that, “a large proportion of priests look like adults but on the inside they still struggle with the challenges of a previous level of development” (2005: 18). Some commentators believe that compulsory celibacy is a contributing factor in certain priests who become sexually dysfunctional in their relationships with minors.

Reporting on the second John Jay Report (5 May 2011), published by the United States of America Bishop’s Conference, Joan Frawley Desmond refers to the Bishops’ statement, “... that a confluence of events, including the relaxation of social and moral norms during the 1960s and 1970s, and weak seminary formation that neglected to adequately address issues of emotional maturity and sexual identity, contributed to a sharp

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<sup>391</sup> Eugene Kennedy is a former priest and later psychologist.

<sup>392</sup> Victor Heckler is a psychologist and author of *The Catholic Priest in the United States – Psychological Investigations*. He was part of a Sub Committee on Psychology advising the National Bishops Conference of the United States of America in the 1960s.

rise in clergy sexual abuse”<sup>393</sup>. Archbishop Weakland<sup>394</sup> supports this view, in his courageously honest memoir, *A Pilgrim in a Pilgrim Church* (2009). He writes:

I continue to think that the major factor [relating to sexual abuse by priests] was the poor formation of candidates in the 1950s and early 1960s that did not foster social and sexual maturity (320).

In his review of *Sex, Priests, and Secret Codes – The Catholic Church's 2,000 – Year Paper Trail of Sexual Abuse* by Thomas P. Doyle, A.W.R. Sipe, and Patrick J. Wall, Jim Walker states:

This book reveals that 20-25% of the priests have serious psychiatric difficulties and the majority shows emotional immaturity. Studies conclude that the psychosexual immaturity of priests manifested itself in heterosexual and homosexual activity.<sup>395</sup>

Having argued for a connection between emotional underdevelopment in priests, and sexual abuse, I provide an alternate view, provided by Conrad Baars<sup>396</sup>, who argues that Celibacy is not the cause of emotional immaturity in priests. According to Baars, ‘caelebs’ or celibacy is a condition of maturity *sine qua non* for both married life and ministerial priesthood, since celibacy is a state of self-mastery and self-possession necessary for the giving of self as gift, be it to God, be it to a spouse of the opposite sex. He argues, “the person mature enough to commit to either the married or religious state of life must already

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<sup>393</sup>Joan Frawley Desmond, *National Catholic Register* (14 August 2011), 2011 <http://www.ncregister.com/daily-news/u.s.-bishops-and-clergy-sex-abuse-another-round/> Accessed: 20 August 2011.

<sup>394</sup> Rembert George Weakland (born April 2, 1927) was an [American prelate](#) of the Catholic Church. He served as Archbishop of Milwaukee from 1977 to 2002. In his work, *A Pilgrim in a Pilgrim Church: Memoirs of a Catholic Archbishop*, he explores Church reform issues, his homosexuality, and the child abuse crisis. In May 2009, Weakland came out as [gay](#) – one of the most senior Catholic clergymen to do so. In 2002, shortly before his retirement, Weakland paid \$450,000 of diocesan funds to a former lover to fend off a threatened lawsuit.

<sup>395</sup> <http://www.nobeliefs.com/Doyle.htm> Accessed: 20 August 2011.

<sup>396</sup> Conrad W. Baars, M.D., (1919 – 1981), treated many priests and religious in his practice and presented important information to the [bishops](#) of the Catholic Church.



have become a free, self-possessed, unique masculine or feminine celibate – for that is precisely what caelebs<sup>397</sup> means: singular and alone! But to be able to be “singular and alone” in the sense of the achievement of autonomy, one must be affirmed by significant others ... And only one who can accept himself can also accept the thou, can accept the world<sup>398</sup>.” This view relates to my earlier reference to Maslow’s “hierarchy of needs” (see Chapter Two, 2.4), where I argued that whenever these hierarchical needs are not met, human development is inevitably sabotaged. Priests are not immune from this psychological truth, as my story illustrates.

I now focus on the abuse itself, in which I consider what some critics are saying about the Church’s lack of response to sexual abuse by priests.

#### **10.4 The Church’s Official Response to Sexual Abuse**

The experiences of sexual abuse by priests’ demands a readiness on the part of the official Church to admit that there has been something seriously and structurally wrong with how they have chosen, assessed, and prepared candidates as potential priests in the past. However, the church has systematically refused to respond to this claim in any meaningful way. Pope John Paul compounded this position by his lack of response to sexual abuse by priests. From 16 October 1978, until his death on 2 April 2005, worldwide allegations of sexual abuse confronted him. John Paul II was criticised for failing to respond quickly enough to the sex abuse crisis. In his response, he stated that, “there is no place in the priesthood and religious life for those who would harm the young”. The Church instituted

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<sup>397</sup> Etymologically, ‘caelebs’ (masculine and feminine) means ‘unmarried, and single’. Its English descendant is ‘celibate’ <http://www.en.wiktionary.org/wiki/caelebs> Accessed: 23 October 2011.

<sup>398</sup> Remarks on Emotional Maturity in Priests - Reflections *on the Teaching of Pope John Paul II and Benedict XVI*, Conrad Baars, <http://www.robtaconnor.blogspot.com/2008/12/remarks-on-emotional-immaturity-in.html> Accessed: 20 August 2011. Conrad Baars, M.D. I Will Give Them a New Heart,” St. Pauls (2008: 150).

reforms to prevent future abuse by requiring background checks for Church employees,

[http://en.wikipedia.org/wiki/Criticism\\_of\\_Pope\\_John\\_Paul\\_II\\_-\\_cite\\_note-charteryouth-17](http://en.wikipedia.org/wiki/Criticism_of_Pope_John_Paul_II_-_cite_note-charteryouth-17)

and because a significant majority of victims were teenage boys, disallowing ordination of men with “deep-seated homosexual tendencies”. For some critics, this was not enough.

[http://en.wikipedia.org/wiki/Criticism\\_of\\_Pope\\_John\\_Paul\\_II\\_-\\_cite\\_note-vatdocord-18](http://en.wikipedia.org/wiki/Criticism_of_Pope_John_Paul_II_-_cite_note-vatdocord-18)

Among those who criticise Pope John Paul’s lack of an adequate response to sexual abuse is Geoffrey Robinson, a former auxiliary bishop of Sydney. He argues that, “... if the pope had responded immediately and forcefully, speaking directly to victims and demanding a humble, honest and compassionate response from all members of the church, the power of the rock [referring to the Pope] is so great that the response of the Catholic Church could have been a model” (2007: 139<sup>399</sup>). Robinson highlights the crucial role the Papacy has in holding what is a disparate collection of followers together, and how it has failed to do so on the global scandal of sexual abuse by priests.

Pope Benedict XVI, on the other hand, has responded to these same allegations. During his visit to Britain in September 2010, for example, he turned his thought to the victims of clerical sex abuse on two occasions: “Above all, I express my deep sorrow to the innocent victims of these unspeakable crimes.” The pope acknowledged the shame and humiliation that everyone has suffered. He expressed hope that this humiliation would contribute to the healing of the victims, the purification of the church and renew an age-old commitment to educating the young.

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<sup>399</sup> Geoffrey Robinson (2007) *Confronting Power and Sex in the Catholic Church – Reclaiming the Spirit of Jesus*.

As he travelled to Britain, Benedict acknowledged to reporters that the church had failed to act quickly or decisively enough to stop the abuse and prevent it from recurring. In the course of his visit, demonstrators said the church must do more to remove those guilty of sexual abuse on children. They called for the Pope to hand over to the authorities all information on abusive priests<sup>400</sup>. In February 2010, Pope Benedict XVI opened two days of talks with Ireland's Roman Catholic bishops to discuss their response to a child sex abuse scandal. More recently, Pope Benedict has issued new guidelines to bishops, encouraging them to report all suspected cases of sexual abuse of minors by priests. The guidelines represent a further effort to eradicate child sex abuse in the Roman Catholic Church<sup>401</sup>. He has taken this one step further by asking all bishops to draw up child protection guidelines on how to deal with allegations of sexual abuse against priests, and to meet in Rome in February 2012. This is part of an effort to co-ordinate and standardise the church's reaction to sexual abuse, and to set out principles for how bishops are to respond to abuse allegations<sup>402</sup> in the future. Any attempt on the part of Benedict to take the necessary steps to address child sexual abuse by Catholic priests is usually accompanied by the complaints of victims. In response to this latest attempt, for example, victims' groups argued that the guidelines give too much autonomy to bishops, who have often been accused of covering up scandals.

Peter Schineller<sup>403</sup>, has published a Guide For Seminarians, based on *Guidelines for the use of psychology in the admission and formation of candidates for the priesthood*,

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<sup>400</sup> <http://www.voanews.com/english/news> Accessed: 16 June 2011.

<sup>401</sup> <http://www.abc.net.au> Accessed: June 19 2011.

<sup>402</sup> <http://www.article.wn.com> Accessed: 19 June 2011

<sup>403</sup> A Jesuit priest, originally from New York City. Born in 1939, he entered the Society of Jesus (Jesuits) after graduating from Regis High School in 1957. Ordained a Jesuit priest in 1970, he completed a Ph.D. in theology from the University of Chicago in 1975, and has since taught theology at the Jesuit School of Theology in Chicago.

distributed by the Congregation for Catholic Education (Zenon Card. Grocholewski: 2008), and with the approval of Pope Benedict XI. Schineller speaks of human development in terms of, "...strong human qualities..." which include being a balanced person with love for the truth, respect for persons, a sense of judgment. Regarding spiritual development, he speaks of "...living an intimate and unceasing union with God ... seeking Christ in faithful meditation on God's Word ... a spirit of sacrifice and self-denial." Such a statement signifies something of a departure from the former Tridentine approach to priestly formation.

The Church maintains its right to verify the suitability of future priests. More recent criteria for the assessment of potential candidates, however, include recourse to medical and psychological science, something lacking in past assessments. Recourse to experts in the psychological sciences can allow a more satisfactory evaluation of a candidate's psychic state. It would be hoped that, with the aid of psychological insights into the human condition, that there is a greater integration between sexuality and spirituality by the Church. Sexual dualism has marked much of the Christian tradition. In this dualism, spirit is opposed to body, with spirit assumed to be higher and superior and the body lower and inferior. The companion of this dualism has been sexism or patriarchy. In the next section, I provide a description of my experience of priesthood to provide a window into my failure to live up to the ideal of celibacy, and how I further failed in trying to deal with this by not seeking appropriate help.

### **10.5 My experience of priesthood**

Once I was actively engaged in the priesthood, my realisation of the difference between a theoretical and practical understanding of priesthood quickly emerged. Looking back, I can

see that despite several years of study and training, nothing prepared me for the reality of living as a priest. Part of this reality was the power invested in priests by both Catholics and non-Catholics alike. This served to divide priests from the wider community of believers. Priests were seen as moral guardians, expected to be always 'on duty', and as men who had entirely dedicated their lives in service to others. For many years I remained oblivious to the power invested in priests. Only after much reflection and discussion with other priests, did I realise that others viewed priests as occupying positions of power. This same power serves to segregate priests, and further the divide between priest and faithful, creating for the priest, a sense of alone-ness. Richard P. Fitzgibbons <sup>404</sup> identifies the loneliness experienced by priests as often having its origins in childhood:

Many priests suffer from severe loneliness arising from deep disappointments in relationships during childhood and adolescence...Thus, childhood and adolescent loneliness can suddenly emerge in adult life<sup>405</sup>

This resonates in my life, a life devoid of any regular family experience. This helps me to also understand the situation of another priest, a learned theologian, who confided to me that once ordained, he was plunged into a depression because of the superhuman responsibilities entrusted to him, which stayed with him for the remainder of his life. He died prematurely from alcoholism.

Among the expectations of many others is that a priest is available, day and night. I could not understand why a priest had to be on duty twenty-four hours a day, seven days a

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<sup>404</sup> Dr. Richard P. Fitzgibbons is a director of Comprehensive Counselling Services in Conshohocken, Pennsylvania. He trained in psychiatry at the hospital of the University of Pennsylvania, and has given many conferences to priests and religious <http://www.maritalhealing.com/ResolvingLoneliness.pdf> Accessed 20 August 2011.

<sup>405</sup> Identifying, Resolving Loneliness in Priestly Life, <http://www.maritalhealing.com/ResolvingLoneliness.pdf> Accessed: 20 August 2011.

week. For a priest in a parish, this meant that someone could knock on the door at any time of the day or night, and expect the priest to be fully present to them, as their priest, counselor, distributor of alms, and even as a financial manager. John Cornwell<sup>406</sup> illustrates this when he describes an evening spent with a priest friend:

Most priests fend domestically for themselves ... They are alone yet they rarely have time and space to call their own. Having supper with a priest friend of mine in the East End of London not long ago, I recorded that he rose from the table sixteen times to answer the door during our first course. He had cooked the meal, as usual, by microwaving deep-frozen pre-prepared dishes from the supermarket. Past midnight, as we sat having a nightcap, he was called to the door by a parishioner who asked him to sign a passport application form. He had suffered two heart attacks by the age of forty-five (Breaking Faith, 2001: 157).

Such a commitment requires someone of extraordinary physical and spiritual strength. This example is not the exception. It reflects the life of most parish priests. I therefore regard the expectations that have resulted from the same model of priesthood in Australia, cultivated by Church authorities, and reflected among Catholic laity, as unrealistic.

Alternatively, the model of a parish priest in the United States of America represents a lifestyle that is similar to that of most working people, that is, he goes to work eight hours a day in a parish centre (or presbytery), and then returns to his private abode in the evening. This allows him to have the space and time to pursue any personal needs, such as the opportunity for reflection and rest, in the same way as other members of the working community do. Sadly, despite this more balanced model, there has not been a reduction of reported sexual abuse cases in the United States. *The Jay Report* (2004)<sup>407</sup>, for example,

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<sup>406</sup> John Cornwell is a Vatican observer and an award winning journalist and author. Cornwell is a Fellow Commoner of Jesus College, Cambridge, and a Fellow of the Royal Society of Literature (Inside Cover *Seminary Boy*, Fourth Estate, London: 2006).

<sup>407</sup> The *John Jay Report* is a 2004 report by the [John Jay College of Criminal Justice](#), commissioned by the [U.S. Conference of Catholic Bishops](#), based on surveys completed by the Roman Catholic dioceses in the United States of America, and its full title is *The Nature and Scope of the Problem of Sexual Abuse of Minors*

was based on a study of 10,667 allegations against 4,392 priests accused of engaging in sexual abuse of a minor between 1950 and 2002. This report stated there were approximately 10,667 reported victims (younger than 18 years) of clergy sexual abuse during 1950 – 2002. In the Catholic Church sexual abuse scandal in Australia, on the other hand, there are 71 documented cases of Catholic priests convicted and jailed for child sex offences. There are also numerous cases involving members of religious orders (both priests and brothers) and lay teachers. Other sources of concern in addition to the abuse itself, similar to concerns raised in the United States and other countries, was the failure of the church to prevent future abuse by clergy who had come to the attention of religious authorities. Such a failure was seen when clergy were transferred, thereby giving them further opportunities for abuse. A further failure in the way the Church has responded to allegations of abuse has served only to compound a negative public perception.

During my years of active ministry as a priest, I came to believe in the importance of having a private life, separate from a professional one. I recognised my need for space and time to renew myself through reflection and relaxation. This however, was not compatible with the Australian model of priesthood, which used the model, prayer, work, and then rest. I have since used the model rest, prayer, and then work, believing this to be a more compatible model for care of the self. Neither Church hierarchy nor superiors ever discussed the importance of care of the self. Rather, the ideal of Christ the Priest who gave his life for others was the model held up for priests, but not critiqued as an ‘ideal’ and therefore unachievable. This sent a message that to indulge in activities that were for one’s own pleasure or recreation was a manifestation of selfishness. My childhood left me

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*by Catholic Priests and Deacons in the United States.* The Report does not include loneliness, overwork, or simply lack of control among its findings.

without the knowledge and skills for living a balanced life<sup>408</sup>. Ongoing Church practices in adulthood served only to compound this. Consequently, this became a source of growing tension for me. The inner torment and conflict grew out of striving to live a private life as a public , and not having the personal resources necessary to do this. Central to my inner conflict was my failure to remain faithful to the vow of celibacy<sup>409</sup>. On the one hand, I wanted to address my need for a healthy sex life, ideally within the context of a relationship<sup>410</sup>; the Catholic Church forbids same sex relationships on the other.

This applies to all members of the Church. Eastern and Western Christian churches have different traditions concerning [clerical celibacy](#). Most Eastern Churches, for example, distinguish between ‘monastic’ and ‘non-monastic’ clergy. ‘[Monastics](#)’ do not necessarily live as monks or in monasteries, but have spent at least part of their period of training in such a context. Their [monastic vows](#) include a vow of celibate chastity. Bishops are usually selected from the monastic clergy, and in most Eastern Catholic Churches a large percentage of priests and deacons are celibate, while a portion of the clergy (typically, parish priests) may be married. If someone preparing for the diaconate or priesthood wishes to marry, this must happen before ordination. While both Eastern and Western Churches welcome people attracted to the same sex, they also teach that homosexual relationships and sexual acts are sinful. This applies to both the Roman Catholic Church and the Eastern Orthodox churches. Pope John Paul II, for example, included the issue of homosexuality as

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<sup>408</sup> I acknowledge those people who have experienced a positive childhood, and also experience difficulty in living a balanced life.

<sup>409</sup> I took the vow of celibacy on three specific occasions: once at my First Religious Profession, again at my Final Religious Profession, and then on my Ordination as Deacon. I made this threefold declaration in good faith.

<sup>410</sup> I must state, however, that in my early adult life I held the erroneous belief that lust and love were the same things. Furthermore, I also believed that loving someone meant having sex with them. I believe this to have been a reflection on the lack of an appropriate formation both in child hood, and in the Church. I do not hold to this view today.



part of a ‘culture of death’ in his encyclical *Evangelium Vitae* (April 1995). He has used the opposite concept to ‘culture of life’, a term traditionally used in discussion of Catholic moral theology. Its proponents describe this as a way of life based upon the theological truth that human life at all stages from conception through natural death is sacred<sup>411</sup>.

In his treatment on ‘Sexology and Life’, Cornwell (2004: 133) makes repeated references to John Paul’s ‘culture of death’. He correctly states that John Paul regarded such issues as contraception, divorce, illicit unions, and homosexuality, as dimensions of a ‘culture of death’. John Paul preached vehemently against the ‘culture of death’, expounding the notion that sins against sexual morals is intrinsically evil. There could be no mitigating circumstances. A far cry from Rolheiser’s view of sexuality as, “...the pulse to celebrate, to give and receive light, to find our way back to the Garden of Eden where we can be naked, shameless, and without worry and work as we make love in the moonlight.”

It seemed to me, that if I were to remain within the priesthood, and be able to cater for my sexual needs, then I would have to live a double life. I attempted to do this for a time, but the inner conflict was unbearable. Using alcohol to escape the inner anguish only served to fuel my tormented spirit. Eventually, it seemed to me that integrity demanded that I opt for one or the other.

In the following section, I discuss clerical sexual abuse, and a therapeutical model proposed by Patrick Fleming, Sue Lauber-Fleming, and Mark T. Matousek to support my argument for vulnerability, and who also offer a model to deal with this problem.

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<sup>411</sup> A ‘culture of life’ opposes practices destructive of human life, often including abortion, euthanasia, research on human embryonic stem cells, contraception, capital punishment, unjust war, sadistic humiliation, narcissism, and excessive selfishness.

## 10.6 Clerical Sexual abuse

As part of my personal quest to understand myself, and others, among the literature I have read on the subject of clerical abuse<sup>412</sup>, I have found Fleming, Lauber-Fleming and Motousek's work (2007) the most helpful, because it offers a practical solution to addressing a highly sensitive issue. Sue Lauber-Fleming is a psychotherapist in private practice with her husband, Patrick Motousek. The focus of their work has been bringing healing to adult survivors of sexual abuse. Mark Matousek is the director of Clinical Services of Recon, and is assisting and educating the Catholic Church regarding the problems of sexual abuse<sup>413</sup>. Lauber-Fleming and Motousek assert that the media is largely responsible for any imbalances, in particular, the failure to provide an account of a priest's life from childhood<sup>414</sup>, thereby identifying possible influences, which may have contributed to his offending behavior. The term 'paedophile', for example, is a misused term when the media apply this to priests (and others) who abuse. Fleming et al (2007) elect to use the term 'ephebophile', and this refers to individuals attracted to adolescents of both sexes aged fourteen to eighteen. They write:

... we know enough to state categorically that most of the myths that the media has suggested and that stick in people's minds are wrong and not based on the facts (Fleming et al: 2007: 95).

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<sup>412</sup> These include *Priests in Love – Australian Catholic Clergy and Their Intimate Relationships* (Anderson: 2005), and *Confronting Power and Sex in the Catholic Church – Reclaiming the Spirit of Jesus* (Robinson: 2007). Geoffrey Robinson has a different purpose to that of the authors of *Broken Trust*. Robinson argues that the causes of sexual abuse among clergy lie deep in the theological matrix within which the church has been working. He bases his argument solely on an exegesis of Scripture. Because he fails to go beyond this academic level, I think he is avoiding the issues of sex and power in the Catholic Church on a more specific level. John Cornwell makes more general references to this issue in *Breaking Faith – Can the Catholic Church Save Itself?* (2001), and *The Pope in Winter – The Dark Face of John Paul II's Papacy* (2004). Also included in the literature are Ronald Rolheiser, W. Richard Sipe, and Thomas G. Plante.

<sup>413</sup> Information gleaned from the inside cover of their text.

<sup>414</sup> The media consistently fails to do this when reporting on any person before the courts.

While the media has reported extensively on sexual abuse, associated legal procedures, and obligations in the Catholic Church, little has been included about the lives of the perpetrators themselves. By including something of perpetrator's stories some form of understanding from the wider community could be elicited, thereby replacing the categorical stigmatising of human beings. Fleming et al (2007) argue that an important dimension to the treatment of sexual abuse in the Church is providing an opportunity and a responsibility for both abusers and abused to tell their stories, as part of an overall healing process. Initially, Fleming et al (2007) focused on survivors of sexual abuse. These included a number of individuals sexually abused by Catholic and Episcopal (Anglican) priests, Protestant ministers of all denominations, Rabbis and in a few cases by Catholic nuns. The authors regard abuse by Catholic priests as, "... abhorrent, and ... would never allow any excuse or rationalization for their offensive behavior" (18). Yet, as they worked with survivors of sexual abuse they also became involved with perpetrators. They:

... began to see the woundedness underlying their compulsive, abusive behavior. [They] came to realize that they too had a trauma and abusive history, which was the root cause of their behavior (2007:18).

The media usually reports the details of the abuse committed by priests and brothers, along with an account of the legal involvement, but little is given about how they may have become abusers. We do not hear if these priests are sorry for what they have done, have stopped their abusive behaviour, and sought help to recover from their compulsive conduct (Fleming et al: 2007: 119).

In their book *Broken Trust*, Fleming et al explain their professional treatment of priests who have abused. They give a voice to three survivors of sexual abuse, and five

priests who have abused. Their hope is that these stories will provide a window into the tragedy of broken trust, thereby promoting some understanding.

Together, the stories provide an insight into the complex picture of “The Human Tragedy of Broken Trust” (2007: 33-115). The authors’ main findings are: that the average age of a priest or brother accused of sexual abuse is between fifty or sixty; they entered either a seminary or novitiate in their early teens; every aspect of their lives became dependent on the institutional Church; and, they were taught to interact and carry out their duties within a system based upon obedience and submission to the will of Church authorities. A hierarchical system, such as that of the Catholic Church, can create a sense of unhealthy dependency (2007: 222).

John Bradshaw, author of *Homecoming: Reclaiming and Championing Your Inner Child* (1999)<sup>415</sup> argues that offensive sexual behaviour:

is the result of childhood violence and the suffering and unresolved grief of that abuse. The once powerless wounded child becomes the offender adult ... We have to understand that many forms of child abuse actually set up the child to be an offender. This is especially true of physical abuse, sexual abuse and severe emotional battering (1999: 10).

Fleming, Lauber-Fleming and Matousek (2007) support this argument:

When the child has been profoundly traumatized, he, in some way as a man, may sometimes seem almost destined and programmed to pass the trauma on to others” (Fleming et al: 2007: 68).

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<sup>415</sup> The authors of Broken Trust refer to Bradshaw (2007: 68). Bradshaw is acknowledged as America’s leading personal growth expert. In 1999 he was nominated by his peers and elected as one of the 100 most influential writers on emotional health in the 20<sup>th</sup> Century. His peers place him alongside Sigmund Freud, Carl Jung, and Erich Fromm.

This view is supported by other notable experts who argue that in the absence of therapeutic guidance and help from others, there is a greater likelihood that an individual will ‘revisit’ their abuse in a maladaptive and unhelpful way, which may lead to further harmful effects on other young people. Watkins and Bentovim (1992)<sup>416</sup>, for example, reported that in their research, one in five sexually abused boys goes on to sexually offend against others. I suggest that this is because the abused child does not learn what appropriate behaviour is.

Childhood abuse often results in trauma for the child, with ramifications into adulthood, as my life illustrates. I regard my childhood experience as an abusive one, on the grounds that the authorities removed me from my natural family, and placed me in an undesirable situation, bereft of the necessary psychological/psychosexual development. In psychiatric terms, ‘trauma’ has assumed a different meaning to physical or medical trauma resulting from a physical injury, and refers to an experience that is emotionally painful, distressful, or shocking, which often results in lasting mental and physical effects<sup>417</sup>. In regard to this type of trauma, Brier (1996)<sup>418</sup> provides a comprehensive model of symptom development, and subsequent therapeutic focus on his ‘self-trauma’ model for treating adult survivors of severe childhood abuse. He notes that the model applies to early intervention, advising of the importance of taking speedy steps to avoid significant psychological harm.

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<sup>416</sup> Watkins B, Bentovim A. (1992). The sexual abuse of male children and adolescents: a review of current research. *Journal of Child Psychology and Psychiatry* 33: 197 - 248 (<http://www.interscience.wiley.com> Accessed 21 June 2011).

<sup>417</sup> Definition of ‘trauma’ as provided by <http://www.MedicineNet.com> Accessed: 29 August 2011.

<sup>418</sup> Brier J. (1996). ‘A self-trauma model for treating adult survivors of severe childhood abuse’. In the *APSAC Handbook on child maltreatment*, Brier J, Berliner L, Bulkey J.A, Jenny C, Reid T, (Eds), Sage: Thousand Oaks CA: 140-157.

Hunter (1997)<sup>419</sup>, reported that failure to address Post Traumatic Stress Disorder<sup>420</sup> in young people increases the probability of serious conduct disordered behaviour which may become wide ranging. This, in turn, may give rise to marked personality disturbances manifesting themselves in adult life, including antisocial personality disorder. Outcomes in my adult life bear testimony to this claim. According to this analytic model, certain undesirable outcomes in my adult life were predictable. However, this does not mean that every abused child will become an abuser.

Lauber-Fleming and Matousek (2007) provide a therapeutic antidote for addressing disordered behaviour and personality disturbances in adult life, through the telling of one's story. The format for the telling of stories by abusers follows that of Alcoholics Anonymous. This requires that stories include a description of, "What we used to be like, what happened and what we are like now" (The Big Book, 1985: 58). Lauber-Fleming and Mousek use this model for both victims and abusers as a means of healing. Often the stories reveal how priest abusers have been abused themselves. As a member of Alcoholics Anonymous, I have experienced the therapeutic value of telling your story, based on the format suggested by Alcoholics Anonymous.

Lauber-Fleming and Motousek argue that priests who have abused need to tell their stories. They provide reasons justifying this belief: firstly, they argue that it can be a means of prevention:

The more we know and understand these men, the more we will know how to protect children and others who are vulnerable (2007: 21).

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<sup>419</sup> Hunter J (1997). *Juvenile sexual offenders*, Conference Presentation: Sex Offenders – assessment, risk management and treatment. Specialised Training Services, San Diego, California  
<http://www.interscience.wiley.com> Accessed: 21 June 2011.

<sup>420</sup> Posttraumatic stress disorder (PTSD) is an emotional illness that is classified as an anxiety disorder and usually develops as a result of a terribly frightening, life-threatening, or otherwise highly unsafe experience.  
[http://www.medicinenet.com/posttraumatic\\_stress\\_disorder/article.htm#wha](http://www.medicinenet.com/posttraumatic_stress_disorder/article.htm#wha) Accessed: 25 August 2011.

They contend that the information provided by the stories told will arm them with important information that they can pass on to Church leaders, and those concerned with the formation and training of future priests. This, they believe, will more effectively enable the process of screening potential sexually abusive priests and brothers (21). This, in turn, will prevent priests who are unsuitable to live celibate lives, and those who might potentially abuse, from occupying positions of trust in the Church.

The second reason Lauber-Fleming and Motousek give for having priests who have abused telling their stories is to promote healing through (albeit an indirect) dialogue between abusers and their victims. Lauber-Fleming and Motousek suggest that by reading these stories, victims may learn that some abusers understand their victims as people and deeply regret what they have done, and the damage they have caused (21). While this cannot take away the abuse or the lasting effects, the authors consider this dialogue as a potentially contributing factor in the healing process for survivors. One of the authors of *Broken Trust*, Sue Lauber Fleming was herself sexually abused by a priest, and as a victim, tells her story in the book. Part of her story includes her journey towards recovery, which led her to join her brother Patrick Fleming in working with priest abusers as a therapist.

Lauber-Fleming and Motousek's third reason for justifying the importance of perpetrators telling their stories is to humanise the perpetrator, which must include a genuine, deep-seated feeling of compassion and understanding, towards victims of sexual abuse. They argue:

A key part of our therapy with both victims and perpetrators is helping them rediscover and reempower all aspects of their humanity. For the perpetrators, this includes, acknowledging and empathetically feeling their victims' pain (2007: 23).

By telling their stories, perpetrators of sexual abuse are compelled to look at themselves, their behaviour, and acknowledge their offences in the same way alcoholics and other addicts who have embraced the 'Twelve Step Program' are required to do. Lauber-Fleming and Motousek argue that presenting a perpetrator as a non-human object of horror only serves to continue the cycle of dehumanising abuse, and removes the opportunity for any confrontation and accountability from the accuser. For this reason alone, they argue that priest-abusers need to give an account of their offending behaviour through their stories, and that these stories provide a basis for recovery to begin (2007: 23).

Based on my experience of Alcoholics Anonymous, and seeing firsthand how a Twelve Step Program assists in the recovery of alcoholics, I unconditionally support the course of action offered by these authors.

In the following section, I argue that sexual abuse is a psychosexual-spiritual compulsive illness or disorder, which is rooted in childhood abuse, trauma, and family and Church dysfunction.

#### **10.7 Understanding sexual abuse as a sickness**

The authors of *Broken Trust* explain that alcoholism (or any addiction) is a symptom of unresolved personal issues<sup>421</sup>. They accurately describe the nature of addiction:

... But to anyone who has been caught in the throes of addiction, or known an active, out of control addict, it is sadly too understandable how an addiction can lead the addict – priest or not - to behaviours that are otherwise incomprehensible and even abusive of others. Addictions progressively take over and distort people, their thought processes, their conscience, their values, their spirituality, their boundaries, and their

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<sup>421</sup> In relation to Step Four of the *Twelve Steps of Alcoholics Anonymous*, the authors of *The Big Book* (1985) clearly state that, "Our liquor was but a symptom. So we had to get down to causes and conditions" (64).



behavior. The addiction hijacks their brain, their whole personhood (Fleming et al: 2007: 54).

These authors identify the progressive nature of addiction as loss of control, and the crossing of boundaries in violation of one's values and beliefs (Fleming et al: 2007: 53).

While they acknowledge a gradual change of attitude within society towards alcoholics:

Until about thirty years ago, most people considered alcoholics to be morally weak and defective, simply lacking the willpower to end their drinking. In those days, alcoholics were more likely to be put in jail than to receive treatment. Today, it is widely accepted that alcoholism (along with other chemical dependencies) is a disease with genetic, biological, and environmental components (Fleming et al, 2007: 134).

Fleming et al go on to suggest that such attitudes towards an alcoholic in the past are now applied to priests caught up in the present abuse crisis. Many therefore see abusers as morally reprehensible, degraded and criminal. In fact, they argue that most are sick, suffering from a severe psychosexual-spiritual compulsive illness or disorder, which is rooted in their own childhood abuse, trauma, and family and Church dysfunction<sup>422</sup>.

Lauber-Fleming and Motousek (2007), citing the findings of W. Richard Sipe<sup>423</sup>, provide important statistics associated with clerical abuse. They find that:

... many people assume that a large percentage of Roman Catholic priests have abused children ... studies estimate that between 1.8 percent to 6 percent of the 47,000 American<sup>424</sup> priests have abused children (Fleming et al: 2007: 94).

These statistics are the same for men who work as Boy Scouts leaders, sport coaches, or youth workers generally. This leads these authors to conclude that, "A Catholic priest is no

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<sup>422</sup> Findings consistent with the findings of Watkins and Bentovim (1992), Brier (1996), and Hunter (1997), referred to earlier.

<sup>423</sup> W. Richard Sipe is involved in full time to research into the sexual and celibate practices of Roman Catholic bishops and priests. A former priest, he is the author of several works (<http://www.books.google.com/books> Accessed: 14/1/08). *Sex, Priests and Power – Anatomy of a Crisis* (Routledge: 1995) is the work referred to in *Broken Trust*.

<sup>424</sup> The author is referring to the United States of America, and do not include Canada. These statistics do not include Catholic Religious Brothers or Religious Sisters.

more likely to abuse children than any other male entrusted with the care of children” (Fleming et al: 2007: 95)<sup>425</sup>. More importantly, and speaking professionally<sup>426</sup>, the authors of *Broken Trust* claim to have come to know the real, flawed, sick, wounded and wounding men behind the headlines:

Not much is told about who these men are; about what may have caused them to go from dedicated priest to abuser; about how they may have been victims of abuse themselves (Fleming et al: 2007, 19).

It was only after extensive clinical work with these men that the authors invited them to share their stories. Each priest had to have satisfied the therapists that they had attained full recovery from their sexual addiction. Each had to have achieved a level where they had taken full responsibility for their abusive behaviour. There was no room for any form of excuse or rationalisation, or for hiding any detail of their past behaviour, regardless of how small. The authors demanded total honesty from the priests. Finally, their stories had to omit any revealing details about either themselves or their victims for the purpose of confidentiality and safety (2007: 25).

Fleming et al (2007: 22) base their therapeutic program on the principles contained in the successful *Twelve Step* program used by Alcoholics Anonymous<sup>427</sup>, which shows the addict how to go about an honest review of their lives and behaviour. Part of this program

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<sup>425</sup> Fleming et al (2007) are drawing here largely on Thomas G. Plante. Plante is a Professor of Psychology at the University of Kansas and author of several works. The publication referred to here is entitled *Priests Behaving Badly: What Do We Know About Priest Sex Offenders?* is included in a journal publication “Addiction & Compulsivity”, Volume 10, Issue 2&3: 93 - 97, <http://www.informaworld.com> Accessed: 14 January 2008.

<sup>426</sup> Sue Lauber is a psychotherapist working in private practice in St. Louis, with her husband Patrick Fleming. Mark Matousek is the Director of Clinical Services of Recon Inc., assisting and educating the Catholic Church regarding the problems of sexual abuse.

<sup>427</sup> The 'Twelve-Step program' began on the 10 June 1935 with the establishment of *Alcoholics Anonymous*, Alcoholics Anonymous World Services Inc: 171, Australia: 1985.

encourages addicts to tell the story of their addiction repeatedly. This keeps them ever mindful of what their lives were like when alcohol controlled them. Telling their own story, and listening to the story of others, helps to bring about clarity of thought, insight, and understanding. It can also cultivate compassion for oneself, and the other person, within a fellowship of a shared humanity. A new vision of possibilities for change and renewal can be the end result (Fleming et al: 2007: 22).

As a member of Alcoholics Anonymous, I have come to see the importance of retelling the addiction story. It is a means of staying focused on what has happened in one's past life, and why. This prevents the addict from forgetting where alcohol took them, and the extent to which their lives had become unmanageable. The authors of *Broken Trust* found that using this kind of story telling often produced a positive therapeutic result. For the victims, they slowly came to realise that the abuse is not their fault, that there is no longer reason for shame, and that the abusive behaviour by the perpetrator was the result of sickness. This process enables victims to move through their anger to a more peaceful state. In some cases, victims even displayed compassion for their abuser (2007: 22). Of course, nothing can undo the wrong, exonerate the abuser, or prevent other abuses from taking place within society in the future. However, it does provide a strategy for dealing with abusive individuals, and go some way towards eradicating unwanted behavioural trends in the present, or helping to ensure that individuals who have gone along this path do not reoffend.

From my current position as a recovering alcoholic and PhD candidate, and therefore from a position of privilege, I believe that if I had not been an alcoholic at the time of my offending behaviour, I would have coped with my emotions and sexual needs differently. This is not to claim that I can know I would have not offended. In the next section, I describe my alcoholic addiction to demonstrate the progressive nature of the disease of alcoholism, and to contextualise (not to excuse) my offending behaviour.

#### **10.8 My alcoholic addiction and offending behaviour**

In this section, I give an account of my chronic alcoholism to illustrate the progressive nature of this disease. In describing my alcoholism, I follow the directives provided by Alcoholics Anonymous: “what we used to be like, what happened, and what we are like now”.

I began drinking in a social context. While I was working as a Social Therapist with Mental Health Services of Western Australia, I discovered the pleasure of wine. I started out as a social drinker, but quickly adopted the habit of drinking excessively large amounts of alcohol. I joined a wine appreciation club, and participated in their gatherings on a regular basis. Opportunity for drinking meant an opportunity to get slightly tipsy, and then remain topped up. I soon grew out of the need to attend meetings of the wine appreciation club, and started drinking alone. By this stage, I had not begun to drink on a daily basis. I then joined the Pallottines and my drinking habit abated. I resumed drinking again some years later, and this was on a daily basis.

My first hospitalisation, for pancreatitis, occurred within two years of being ordained, in 1979. Following release from St. Vincent’s Hospital (Melbourne), I went to bed drunk that same night. My next hospitalisation came two years later. I was taken against

my will to Eppworth Hospital (Melbourne), clutching a bottle of brandy. Here, I was under the care of Doctor Whar, a psychiatrist, and I almost died during withdrawal from alcohol.

When released from Eppworth Hospital, my superior arranged for me to go to a place of rehabilitation in Queensland, known as 'Damascus',<sup>428</sup>, which was run by a recovering alcoholic priest, Father Gerard Nichol. Father Nichol introduced me to Alcoholics Anonymous. Each day I participated in sessions provided by Father Nichol, followed by meetings of Alcoholics Anonymous each evening. Deep down, I did not believe that I was an alcoholic. After all, I had not done the things that members spoke about at these meetings. Eventually, I decided to pay lip service to the idea that I was an alcoholic, and said the things I thought Father Nichol wanted to hear, in the hope of getting back to Melbourne.

Once back in Melbourne I resumed drinking. I began drinking on a daily basis. The remarkable thing was that no one seemed to notice. The more I got away with it the more I continued. I tried all kinds of ways to prove to myself that I could drink like other people, but invariably I would end up intoxicated each day. I see this in retrospect, as a clear manifestation of my vulnerability. Being at Damascus, however, did achieve some good. It left me thinking that perhaps I did need help to cope with inner conflicts.

I began seeing a series of counselors, and going back to AA on and off. Counselors included Father Dan Winters, a Marianist priest-counselor. He suggested I participate in a 'Marriage Encounter' weekend. I also saw Doctor Peter Cantwell, a Franciscan priest-psychologist, and Ian Stapleton, a clinical psychologist. I attempted to describe my inner

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<sup>428</sup> I arrived at 'Damascus' on 16th October, 1982. It no longer exists, but the work continues at the Holy Spirit Hospital in Brisbane.

anguish to these counselors. Of course, while I continued to withhold my life story from them, and continued to drink, they were unable to be of any significant help. I later undertook a course of rehabilitation at 'Holyoake' in Perth, where I also outlined, in detail, my history of drinking, and the reasons why.<sup>429</sup>

With the issues of my alcoholism and emotional life unresolved, I left Melbourne to return home to Perth. Here, I worked as Parish Priest of Osborne Park, Bruce Rock, Corrigin, and Narembeen. Again, my alcoholism brought this to an end. After a period of recovery, I took on the full time position as Catholic Chaplain at St John of God Hospital, Murdoch<sup>430</sup>. On the morning of March 8th 1994, I celebrated the mass for the opening of St. John of God Murdoch. I considered it an honour to hold this ministry, to care for the sick within such a highly reputable health organisation as *Saint John of God Health Care*. It was new and exciting beginning for me. Despite this, I still drank.

On the morning of November 30th in that same year, and at the same location, two policemen, Detective Constable Philip Goss<sup>431</sup> and Detective Sergeant Bernard Hett, arrested me. They waited outside the hospital chapel for me to finish celebrating Mass. They then took me to the Brentwood Police Station and spent the day questioning me about my past behaviour. These policemen put forward numerous accusations, and to the annoyance of lawyers, I followed the principle, whatever I had done I admitted to, and

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<sup>429</sup> Mandatory Reporting of sexual abuse was not in place at this time, and I suspect that each of these counselors felt bound by confidentiality, the prevailing protocol at the time.

<sup>430</sup> Murdoch is a southern suburb of Perth.

<sup>431</sup> Before my trial date came round, Detective Goss was promoted to Sergeant. After a day of celebrating with his colleagues, and being driven home by another police officer, there was an accident in which he was killed.

whatever I had not done, I disowned<sup>432</sup>. I admitted to the police that I had a sexual relationship with James. He was sixteen years of age at the time, I was in my mid-thirties, and the relationship extended over a period of several years. He had informed the police that he had endured this relationship under duress. I spent eighteen months in prison for a sexual relationship with this person. It is my belief that my alcoholism had helped me to reach that point. My life, now without alcohol, is by comparison, a life of worth.

### **10.9 My current situation**

No longer a vulnerable person, and away from active ministry, the need for alcohol has subsided. Failure to achieve mastery of self in childhood and adolescence, referred to by Erikson, has been replaced by a sense of self mastery, or in Erikson's terms, 'ego strength' or 'ego'<sup>433</sup>. When I review my childhood experience in terms of Erikson's psychological theory of ego development<sup>434</sup>, I can identify the source of inadequacy experienced in my adult life. In each subsequent stage of my psychosocial development, in Erikson's terms, I would have experienced what he identifies as a 'conflict' that would have served as a turning point in my development. In Erikson's view, these conflicts centre on either developing a psychological quality or failing to develop that quality. During these times, the potential for personal growth is high, but so is the potential for failure.

In this chapter, I have described certain outcomes in my adult life. In particular, I focused on my chronic alcoholism, and my offending behaviour resulting in imprisonment.

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<sup>432</sup> This refers to an accusation by another, who claimed that he had an affair with me. Nothing could have been further from the truth. Despite that he was dying from AIDS, he went through the stressful court experience maintaining his claim to the end. To this day, I have no idea why he did this, but the trial came down to his word against mine. The jury believed him, and I was convicted accordingly.

<sup>433</sup> Erikson, *Childhood and Society*: 1963 (2nd Edition), 239f.

<sup>434</sup> Erikson, *Identity: Youth and Crisis*: 1968, 216f.

I have described these outcomes against the background of a discussion of spirituality, sexuality, religion, and the priesthood in general, and my experience of priesthood in particular. Included in this discussion is the issue of Clerical sexual abuse. I have argued that all forms of sexual abuse are symptomatic of a sickness.



## Chapter Eleven

### *Conclusion*

#### **11.1 Overview of thesis contributions**

In this thesis, I have argued for the vulnerability of Aboriginal people, more specifically, the Nyoongar people of South West Western Australia. I have done this in the belief that their vulnerability needs to be understood as ‘an affliction of the powerless’ by those who make up the wider society. In particular, I see the importance of politicians, governments, government service agencies, church groups, police, medical practitioners, and teachers having an understanding for the reasons why young people suicide, use alcohol and other drugs, and too often end up in remand. Above all, there is a critical need to understand the reasons behind the inability of some parents to fulfill their parenting roles. Parenting is an ongoing key issue for many Aboriginal people today, as I have acknowledged in the thesis.

The understanding I seek to promote begins with identifying the source of their vulnerability. I argue that the source of their vulnerability is found in successive forms of legislation enacted since the foundation of the Swan River Settlement in 1879. By recording the historical accounts of the Shaw Aboriginal ancestors, found in government records and church archives, for example, I have shown what living under past governmental regimes meant for them.

Next, I have argued that the vulnerability created in the lives of our ancestors specifically through dispossession and disempowerment, has become inter-generational. The stories of certain Shaw descendants reveal the ongoing extent of government control

over the lives of Aboriginal people. By referring to some of the current issues in the lives of certain Aboriginal people, I further substantiate my argument for vulnerability as inter-generational. Thirdly, I have included my story, as a member of the *Stolen Generations*, to further support my argument for Aboriginal vulnerability. My story illustrates how I was rendered vulnerable by being placed in an abnormal situation as a child, while in State care. I further argued that vulnerability accounts for outcomes in my adult life, and I suggest that this is also the case for many other Aboriginal people.

### **11.2 Contributions in each chapter**

Chapter Two, discusses the concepts of vulnerability and trauma as these existed, and continue to exist, within Aboriginal communities. I describe the etymology of the term ‘vulnerability’, as used in this thesis, defining it as, ‘an affliction of the powerless’. I argued that Aboriginal people have been rendered powerless through past legislation, and racist treatment by both authorities and certain areas of the wider community. In the course of my discussion, I referred to suicide as the extreme end of the spectrum of despair for communities who have had personal autonomy taken from them, and the structure of their families destroyed, and. I refer to Aboriginal youth and suicide to show the inter-generational effects of past treatment received by Aboriginal people. I have situated my argument within Maslow’s ‘Hierarchy of Needs’ as a yardstick to show how those in power have sabotaged human development for Aboriginal people.

I have introduced my ancestral research in Chapter Three, beginning with the stories of two Shaw ancestors, Mary Ann Chuberan and Frederick John Blurton. I continue my ancestral research in Chapter Four. The stories of my ancestors have been crafted from

information contained in government documents and Church records. These accounts provide examples of the extent of government control over the lives of Aboriginal people, and the resilience of their untiring efforts to counteract such control. These stories were interpreted in terms of Maslow's 'Hierarchy of Needs'.

Particularly pertinent to my argument is Chapter Five, which I have devoted to our mother, Ruby Shaw, whose life story is one example of the extent of the controlling power of those in authority over Aboriginal people. This is shown through her extensive dealings with the Chief Protector, Mr. A. O. Neville. I trace the various locations throughout the state of Western Australia where she was assigned to work by the *Department of Native Affairs* I have done this to exemplify the extent of governmental control over her life, and how she was rendered vulnerable through disempowerment and dispossession. I have included a description of 'Social Darwinism', as this explains, to a large extent, the underlying thinking of the time, both by authorities in general, and Chief Protector of Aborigines, Mr. Neville in particular.

In Chapter Six, I provide information from recorded interviews with my two brothers, Charlie Shaw and Peter Shaw, together with Lillian MacDonald (first cousin). I weave them into my literary tapestry, allowing their stories to expand on the ancestral stories, which make up the first part of this work. Yet, it is more than this. Their stories are intended to show how the vulnerability of Aboriginal people carries over into subsequent generations. The telling of these stories contribute to repairing the damage caused through the fragmentation of our family by government intervention spanning four generations.

Chapter Seven, presents the argument that I was raised to be vulnerable. I used my story to this to show the connection between childhood experience and outcomes in adult

life. I relied on Erik H. Erikson's theory of psychosocial development to support my claim, and I have drawn on Judith Herman's work *Trauma and Recovery –The aftermath of violence – from domestic abuse to political terror* (1997) to further explain the dialect of trauma as leading to predictable psychological harm. I have also drawn on the findings of Toni Buti, whose work was prepared for the Aboriginal Legal Service (WA), and in turn submitted to the *Bringing Them Home Report*, released in May 1997. From such additional sources as Ceridwen Spark, and Denise Cuthbert, I identify influences that shaped my childhood experience, which in turn, laid the foundation for a fundamentally flawed adult life.

Chapter Eight, traces the religious influences in my life up until adolescence, when I entered Saint Charles Seminary, with a view to train for the priesthood.

Chapter Nine, provides a description of the canonical structure of the Catholic Church. I have done this to provide a context for my adult life, which was largely lived within such religious environments.

Chapter Ten outlines outcomes in my adult life. These include chronic alcoholism, an unlawful sexual relationship, and imprisonment.

The various theory approaches introduced in this thesis proved effective in providing a framework for interpreting the various stories. I regard the synergist use of theory and narrative as an important contribution of this thesis.

### **11.3 Overall conclusions**

The visible face of Aboriginal vulnerability is encountered in recent times in the form of some Aboriginal people drinking in parks, which often end up with arguments that lead to

fight, and the eventual need for police intervention. It is also seen in the number of angry youth, and unsupervised children who roam the city streets, usually at night. The usefulness of promoting understanding of Aboriginal trauma and vulnerability, among the wider community is that it may gradually infiltrate the way politicians, governments and all relevant organisations approach these social issues, and deal with them.

On summing up my argument for Aboriginal vulnerability, I stress the importance of governments, politicians, church groups, and society in general, to engage in seeking an understanding of the matter of Aboriginal vulnerability. Understanding begins when details of past treatment metered out to them by misinformed and arrogant authorities is made known. Above all, it is important that the wider society know why so many Aboriginal people seem to be failing in their capacity as parents. That this is the direct result of past governments removing children, and breaking families up, in the false belief that they were improving the lives of Aboriginal people by eradicating their Cultural practices, and replacing these with a supposedly superior way of life.

I hope that this thesis, by telling honestly the stories of my family, my own story, and reflecting upon them in the context of relevant literature, has advanced the aims.

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